



**WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, MARCH 10, 2025 - 6:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. ROLL CALL.**
- VI. APPROVAL OF AGENDA.**
- VII. PROCLAMATIONS:**
 1. Women's History Month 2025.
 2. Social Work Month 2025.
- VIII. PUBLIC HEARINGS:**
 1. Mellon Rezoning.
 2. Neal Rezoning.
- IX. PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
- X. CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
 1. Approval of Council Meeting Minutes.
 2. Audit Contract for FY 2024-2025.
 3. Schedule Public Hearing for Stella Little Rezoning for April 14th Council Meeting.
 4. Grant Application and Commitment to fund – Bike and Pedestrian Safety Plan – NCDOT.
 5. Grant Application and Commitment to fund Safe Routes to School 1-year Extension.
- XI. OLD BUSINESS.**

XII. NEW BUSINESS:

1. Board of Election: One-Stop Site and Filing Fees.
2. Recreation Advisory Board Appointments.
3. Carroll Crossing Preliminary Plat.
4. Termination of AW Ange Trust.

XIII. OTHER AGENDA ITEMS:

1. Request to Revisit/Discuss Removal of Ordinance 32.002-General Supervision of Police Department. (Councilwoman Hawkins).
2. Town-Based Transportation. (Councilwoman Hawkins).
3. Dangerous Trees/Pro Active Safety Measure Support. (Councilwoman Hawkins).
4. Main/Mill Street Parking. (Councilwoman Hawkins).
5. Broadening Opportunities (Age, Access, Fees)/Advertisement for Sports/Activities in Town. (Councilwoman Hawkins).

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS.

XV. ANNOUNCEMENTS:

- Planning and Zoning Board Meeting: Monday, March 17, 2025 @ 7:00 pm - Town Hall Assembly Room.
- Board of Adjustment Meeting: Tuesday, March 18, 2025 @ 7:00 pm - Town Hall Assembly Room.
- Stormwater Advisory Board Meeting: Wednesday, March 19, 2025 @ 6:00 pm – Operation Center.
- Coffee with a COP: Friday, March 21, 2025; 9:00 am – 10:30 am – Cooper’s Cup, 2588 Railroad Street, Winterville, NC
- Recreation Advisory Board: Tuesday, March 25, 2025 @ 6:30 pm – Operation Center.
- Human Relations Board Meeting: Thursday, March 27, 2025 @ 7:00 – Town Hall Executive Conference Room.
- Baseball Opening Ceremony - Saturday, March 29, 2025 - Winterville Recreation Park.
- April Agenda Abstracts Due: Wednesday, April 2, 2025.
- Winterville Easter Eggstravaganza - Saturday, April 5, 2025 - Winterville Recreation Park.
- May 2025 Newsletter Information Due: Friday, April 7, 2025.
- Agenda Review Meeting: Thursday, April 10, 2025 @4:00 pm – Town Hall Executive Conference Room.
- Regular Town Council Meeting: Monday, April 14, 2025 @ 6:00 pm - Town Hall Assembly Room.

XVI. REPORTS FROM THE TOWN MANAGER, TOWN ATTORNEY, TOWN COUNCIL, AND MAYOR.

XVII. CLOSED SESSION: NCGS § 143-318.11. (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

XVIII. ADJOURN.

SPECIAL NOTICE: *Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 756-2221 ext. 2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



PROCLAMATION

Women's History March 2025

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, the following woman serve on Town Council; Councilwoman Brandy Harrell, Councilwoman Shantel E. Hawkins, Councilwoman Veronica W. Roberson, Councilwoman Lisa A. Smith,

WHEREAS, the following woman serve on the Town Staff; Town Manager Terri L. Parker, Finance Director Jessica Manning, Parks and Recreation Director Diane White, Human Resource Director Angela Fuller, and 20 percent of the total Town workforce are female; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

NOW, THEREFORE, I, Johnny Moyer, Mayor Pro Tem of the Town of Winterville hereby designate March as "Women's History Month" honoring the contribution and legacy of women.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 10th day of March 2025.

Johnny Moyer, Mayor Pro Tem

Attest:

Donald Harvey, Town Clerk



PROCLAMATION
RECOGNIZING MARCH 2025 AS SOCIAL WORK MONTH

WHEREAS, social workers have been dedicated to improving human well-being and helping individuals, families, and communities overcome challenges for over a century; and

WHEREAS, social workers work in schools, hospitals, mental health facilities, social service agencies, community organizations, and other settings to support and advocate for those in need; and

WHEREAS, social workers provide critical services, including mental health support, child welfare services, crisis intervention, and assistance for older adults, veterans, and individuals experiencing homelessness; and

WHEREAS, social workers advocate for policies that improve community health, social justice, and equity, ensuring that all people—regardless of background—have access to the resources they need; and

WHEREAS, the theme for Social Work Month 2025 is “Compassion +Action” highlighting the profession’s continued commitment to creating positive change; and

WHEREAS, the Town of Winterville recognizes and appreciates the invaluable contributions of social workers who strengthen the fabric of our community.

NOW, THEREFORE, BE IT RESOLVED, that I, Johnny Moyer, Mayor Pro Tem of the Town of Winterville do hereby proclaim March 2025 Social Work Month in Winterville, North Carolina and encourage all residents to recognize and celebrate the important work of social workers in our community.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 10th day of March 2025.

Johnny Moyer, Mayor Pro Tem

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: March 10, 2025

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Mellon Rezoning.

Action Requested: Review Rezoning and Hold Public Hearing.

Attachment: Rezoning Application; Rezoning Map; Legal Description; Staff Report; Certified Notice to Adjoining Property Owners; Published Notice; P&Z Consistency, Reasonableness and Rezoning Vote; and Draft Rezoning Ordinance 25-O-031.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Applicant: Thomas Engineering (John Thomas).

Location: Southeastern Corner of Old Tar Rd and Laurie Ellis Road.

Parcel Numbers: 14642.

Site Data: 46.98 Acres.

Current Zoning District: Agricultural Residential (AR)

Proposed Zoning District: R-10 Conditional District (CD): Condition is that A minimum of 10% of the development will remain open for passive recreation space.

Comprehensive Plan/Future Land Use Plan Character Area: Suburban Residential Character Area.

Staff Analysis:

The 46.98-acre property is currently vacant and farmed land. The surrounding uses are dominated by single-family detached homes and agricultural land. The Comprehensive Land Use Plan designates this area as "Suburban Residential Character Area" and supports an R 10 Rezoning with the condition that a minimum of 10% of the land is to remain "open space".

Therefore, the rezoning request is consistent with the intent and purpose of the Comprehensive Land Use Plan, the Future Land Use Map and is compatible with the existing development and trends in the surrounding area.

Please review the attached documents, staff report, Comprehensive Land Use Plan, and Zoning Ordinance for more detail and information on the proposal.

P&Z Vote:

- (1) **This rezoning unanimously received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. (8-0).**

Budgetary Impact: TBD.

Recommendation: Staff recommends Approval of the rezoning request from A-R to R-10 CD with the condition that 10% of the future subdivision is dedicated/reserved for open space, as it is consistent with the Comprehensive Land Use Plan, is reasonable with the surrounding developments, and is within the public interest.



REZONING APPLICATION
TOWN OF WINTERVILLE
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Jane Mellon Bofenkamp & Mary F. Mellon

Address: P. O. Box 1827, Wake Forest, NC 27588

Phone #: _____

Owner: Jane Mellon Bofenkamp & Mary F. Mellon

Address: P. O. Box 1827, Wake Forest, NC 27588

Phone #: _____

PROPERTY INFORMATION

Parcel #: 14642 Area (square feet or acres): 46.98 Acres

Current Land Use: Mixed Farm Land and Woods Land

Location of Property: Southeast Corner of Laurie Ellis Road & Old Tar Road

ZONING REQUEST

Existing Zoning: AR (Agricultural-Residential) Requested Zoning: R-10 Conditional Use

Reason for zoning change: To facilitate the development of a single family residential neighborhood in compliance with the Town of Winterville Comprehensive Land Use Plan with densities of 1-3 units per acre. The Land Use Plan identifies this area as "Suburban Residential". This request is for an R-10 Conditional Use to include a minimum 10% of open space for passive recreation.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, John G. Thomas (Agent), being the Owner or Agent (if Agent, complete

section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for January / 21 / 2025.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

- All owners of the property must sign the application.

Signature

Date

12/30/2024

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

- All owners of the property must sign the application.

I, Janice Mellon Bofenkamp s/b, being the Owner of the property described herein,

do hereby authorize John G. Thomas as agent for the purpose of this application.

Signature Janice Mellon Bofenkamp s/b Jan Mellor Bofenkamp

Date 26 Dec 24

Sworn to and subscribed before me, this 26 day of Dec, 2024.

Tammie Schreiber
Notary Public

My Commission Expires:

12-05-2029

Tammie Schreiber
Notary Public
Wake County, NC

For Domestic shipments, the maximum weight is 70 lbs. For international shipments, the maximum weight is 15 lbs.

I, Mary F Mellon, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Mary F Mellon Date 12/30/24
Signature

Sworn to and subscribed before me, this 30th day of December, 2024.



Clara I. Vicente Garcia
Notary Public
My Commission Expires: 9-22-2029

I, _____, being the Owner of the property described herein,
do hereby authorize _____ as agent for the purpose of this
application.

Signature Date

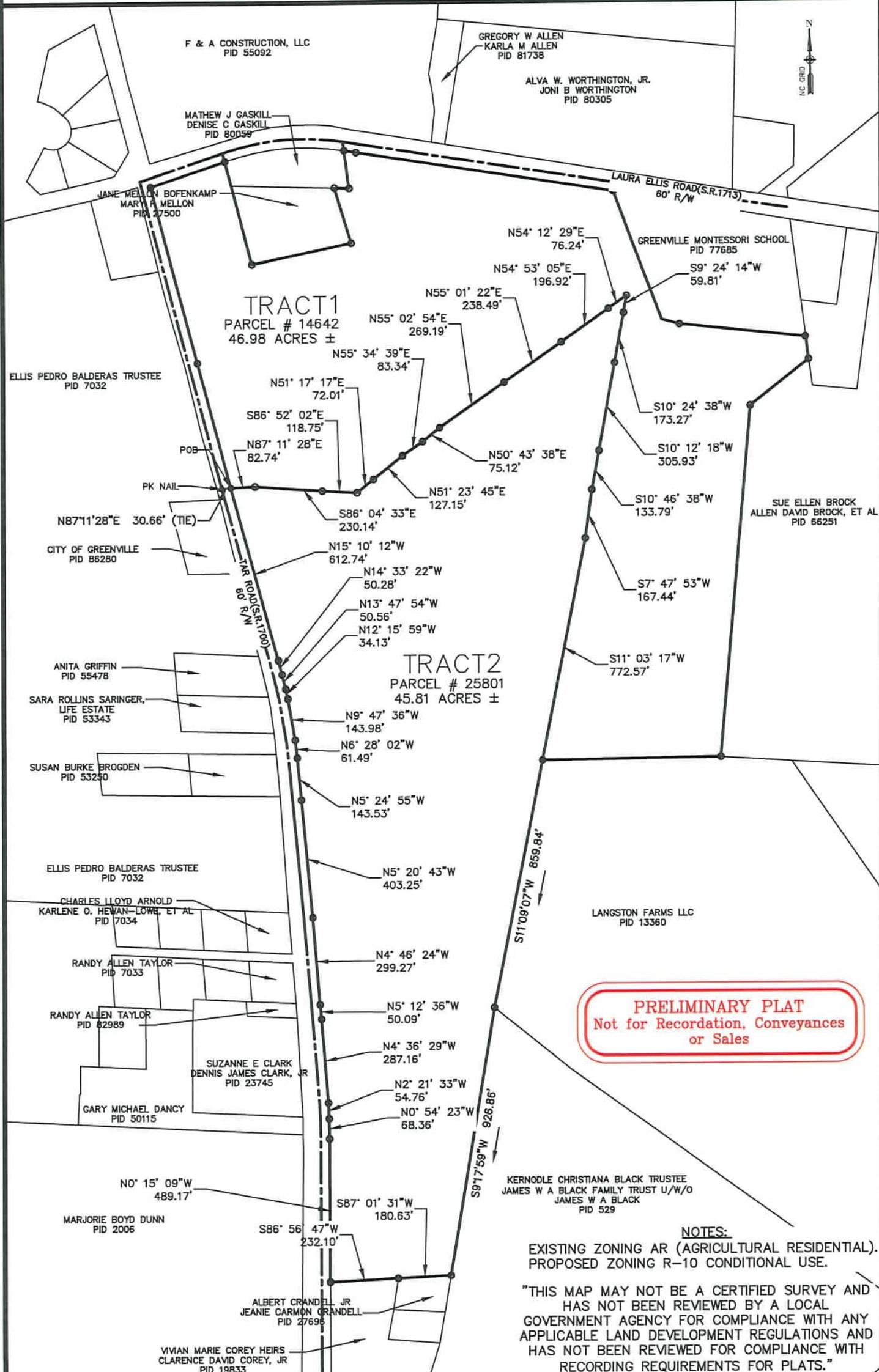
Sworn to and subscribed before me, this _____ day of _____, 20____.

Notary Public

My Commission Expires:

Vertical text on the left margin: "The maximum weight is 20 lbs. For international shipments, the maximum weight is 10 lbs."

Exhibit "B" Parcel# 25801



PRELIMINARY PLAT
 Not for Recordation, Conveyances
 or Sales

NOTES:
 EXISTING ZONING AR (AGRICULTURAL RESIDENTIAL).
 PROPOSED ZONING R-10 CONDITIONAL USE.

"THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS."



Exhibit "A"
Legal Description
Winterville, Pitt County, North Carolina
PARCEL 14642

All that certain lot or parcel of land situate and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows;

Beginning at a Point, Said Point being the southwestern most corner of Tract 3 as shown on that certain plat entitled "Survey for James D. Mellon and wife Margaret Ann Mellon Harris" dated April 7, 1995, as recorded in Map Book 45, Page 156 in the Pitt County Register of Deeds and being located in the Eastern right-of-way line of Tar Road, said point also being located a tie bearing and distance of North 87 degrees 11 minutes 28 seconds East for a distance of 30.66 feet from an existing PK Nail located in the centerline of Tar Road to the Point of Beginning; Thence, from said Point of Beginning along and with the Eastern right-of-way line of Tar Road (S.R. 1700) North 14 degrees 45 minutes 04 seconds West for a distance of 441.16 feet to a point; Thence, North 14 degrees 36 minutes 41 seconds West for a distance of 621.73 feet to a point in the intersection of the Eastern right-of-way line of Tar Road and the Southern right-of-way line of Laura Ellis Road (S.R. 1713); Thence, along and with the Southern right-of-way line of Laura Ellis Road North 71 degrees 11 minutes 56 seconds East for a distance of 267.76 feet to a point; Thence, cornering South 14 degrees 32 minutes 08 seconds East for a distance of 361.75 feet to a point; Thence, North 78 degrees 16 minutes 32 seconds East for a distance of 346.54 feet to a point; Thence, North 16 degrees 48 minutes 57 seconds West for a distance of 195.54 feet to a point; Thence, South 88 degrees 31 minutes 00 seconds East for a distance of 50.03 feet to a point; Thence, North 07 degrees 27 minutes 58 seconds West for a distance of 130.18 feet to a point in the Southern right-of-way line of Laura Ellis Road; Thence, along and with the Southern right-of-way line of Laura Ellis Road South 81 degrees 18 minutes 12 seconds East for a distance of 41.20 feet to a point; Thence, South 81 degrees 02 minutes 18 seconds East for a distance of 888.47 feet to a point; Thence, cornering South 20 degrees 23 minutes 28 seconds East for a distance of 467.17 feet to a point; Thence, South 74 degrees 22 minutes 11 seconds East for a distance of 62.76 feet to a point; Thence, South 83 degrees 56 minutes 04 seconds East for a distance of 431.41 feet to a point; Thence, South 07 degrees 50 minutes 48 seconds East for a distance of 78.13 feet to a point; Thence, South 51 degrees 33 minutes 42 seconds West for a distance of 253.96 feet to a point; Thence, South 04 degrees 58 minutes 06 seconds West for a distance of 1202.13 feet to a point; Thence, South 89 degrees 13 minutes 21 seconds West for a distance of 608.07 feet to a point; Thence, North 11 degrees 03 minutes 17 seconds East for a distance of 772.57 feet to a point; Thence, North 07 degrees 47 minutes 53 seconds East for a distance of 167.44 feet to a point; Thence, North 10 degrees 46 minutes 38 seconds East for a distance of 133.79 feet to a point; Thence, North 10 degrees 12 minutes 18 seconds East for a distance of 305.93 feet to a point; Thence, North 10 degrees 24 minutes 38 seconds East for a distance of 173.27 feet to a point; Thence, North 09 degrees 24 minutes 14 seconds East for a distance of 59.81 feet to a point; Thence, South 54 degrees 12 minutes 29 seconds West for a distance of

76.24 feet to a point; Thence, South 54 degrees 53 minutes 05 seconds West for a distance of 196.92 feet to a point; Thence, South 55 degrees 01 minutes 22 seconds West for a distance of 238.49 feet to a point; Thence, South 55 degrees 02 minutes 54 seconds West for a distance of 269.19 feet to a point; Thence, South 50 degrees 43 minutes 38 seconds West for a distance of 75.12 feet to a point; Thence, South 55 degrees 34 minutes 39 seconds West for a distance of 83.34 feet to a point; Thence, South 51 degrees 23 minutes 45 seconds West for a distance of 127.15 feet to a point; Thence, South 51 degrees 17 minutes 17 seconds West for a distance of 72.01 feet to a point; Thence, North 86 degrees 52 minutes 02 seconds West for a distance of 118.75 feet to a point; Thence, North 86 degrees 04 minutes 33 seconds West for a distance of 230.14 feet to a point; Thence, South 87 degrees 11 minutes 28 seconds West for a distance of 82.74 feet to the Point of Beginning; Containing 46.98 acres, more or less.

Together with and subject to all covenants, easements, and restrictions of record.

End of Legal Description



Town of Winterville Planning Department
Zoning Staff Report
Neal Rezoning and Mellon Rezoning.

GENERAL INFORMATION

APPLICANT	John Thomas (applicant and agent on behalf of the owners)
HEARING TYPE	Rezoning Request
REQUEST	R-10 Conditional District (CD)
CONDITIONS	A minimum of 10% of the development will remain open for passive recreation space.
LOCATION	Southeastern Corner of Old Tar Rd and Laurie Ellis Rd.
PARCEL ID NUMBER(S)	25801 & 14642.
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request & Public Hearing on 2/25/25. Notification was posted on site on 1/9/25. 39 properties were mailed notification
TRACT SIZE	Parcel Number 25801 is 45.81 acres; Parcel number 14642 contains 46.98 acres. Entire site contains 92.79 +/- acres
TOPOGRAPHY	Flat
VEGETATION	Wooded and Agricultural Land.

SITE DATA

EXISTING USE	Vacant/ Wooded/Agricultural Uses.
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ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	Laurie Ellis Road is directly to the north, on the north side of Laurie Ellis Road, contains the following adjacent Zoning Districts: CN (Neighborhood Commercial) and AR (Agricultural Residential).	Vacant Agricultural Land north of Laurie Ellis Road.
W	Old Tar Road is directly to the west of this property, on the western side of Laurie Ellis Road, contains the following Zoning Districts: AR (Agricultural Residential).	Single Family Residential and Vacant agricultural land.



E	AR (Agricultural Residential). & Pitt County's "Rural Residential".	Private School, Events Venue, and vacant agricultural land.
S	Pitt County's "Rural Residential".	Single Family Residential,

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	A-R	R-10 CD.
MAX DENSITY	TBD - AR allows for 20,000sf minimum residential lots.	TBD- R-10 Allows for 10,000sf minimum residential lots.
TYPICAL USES	AR- Low density residential, agricultural uses, etc.	R-10- medium density residential/single-family detached.

SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site Plan / Construction Plan required.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Old Tar Road – NCDOT Street- Minor Thoroughfare. Laurie Ellis Roan – NCDOT Street- Minor Thoroughfare.
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SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Latest Traffic count on Old Tar Road, in front of this site 3100 AADT (2022); Latest Traffic count on Laurie Ellis Rd, near site (just to the east) 1200 AADT (2022).
Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection. * LOS is rated from A-F: A is the best, F the worst. * Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.	Old Tar Road Existing Grade- A Old Tar Road Future Grade- A. Laurie Ellis Road Existing Grade- Very Low A. Laurie Ellis Road Future Grade- Very Low A.
TRIP GENERATION	TBD.
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A – Rezoning Phase.
OTHER	N/A

IMPACT ANALYSIS

Land Use Compatibility

The proposed R-10 with a condition in which 10% of the site is to remain open-space, for passive recreation meet the current development trends within the area and match the Comprehensive Land Use Plan's recommendation for this area. The property is in an area that is receiving significant interest from residential developers.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a suburban residential character area. The Suburban Residential Character area is described as "primarily the large lot, single family detached residential that many people love about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front- and side-loaded garages. Smaller lot sizes are occasionally appropriate if minimum standards for open space and amenities are exceeded."



Comprehensive Land Use Plans - Recommendations & Implementation

Suburban Residential - General Character:

1. General Character: Large lot, low density single family residential was identified by the community as a land use type that was appropriate and valued in many locations. This flexible land use type is appropriate for many area of the planning area and will likely be served by Town Utilities.
2. Uses: Primarily Single Family Detached Residential with sewer services.
3. Potential Zones:
 - Typically: R-20, R-15, R 12.5.
 - R-10 or R-8 are potential zones if addition open space or amenities are provided.
 - Additional Open Space, containing of passive recreation, trails, playgrounds, amenity centers, fields, and greens are categorized as at least 10% of the overall space which is to be dedicated as open space/amenities.
 -

Comprehensive Plan and Land Use - Recommendation:

- **Maintain and improve neighborhood character:**
 - Encourage Open Space and amenities in new developments.
- **Reinforce the Town's Identity as a family-friendly community:**
 - Support rezoning to residential uses in the Suburban Residential and Urban Neighborhood areas as identified on the future land use map.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 92.79-acre property is currently vacant. The surrounding properties are mostly vacant, agricultural land, with some rural residential homes. The proposed R-10 CD rezoning is consistent with the development trends in the area and is consistent with the Comprehensive Land Use Plan.



Staff Recommendation

Staff recommends **approval** of the rezoning request from A-R to R-10 CD with the condition that requires 10% of the site to remain open space, upon development.

Planning and Zoning Recommendation

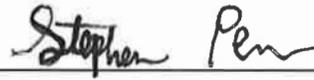
- **This rezoning unanimously received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. (8-0).**

**Mellon Rezoning
Mailed Notice for March 2025 Council Meeting Date
Parcel 14642
Letters Mailed on February 25, 2025**

**STATE OF NORTH CAROLINA
PITT COUNTY**

I, Stephen Penn, Director of Planning and Economic Development of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice and map were mailed, this day by first class mail, postage prepaid, to the owner of the parcel under consideration and to the owners, as shown on the Pitt County Tax Records, of all abutting parcels. A list of these property owners is also attached hereto.

WITNESS my hand this the 25th day of February, 2025.

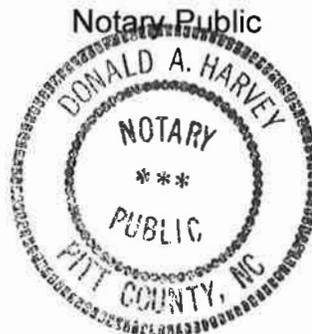


Director of Planning & Economic Development

**STATE OF NORTH CAROLINA
PITT COUNTY**

I, Donald A. Harvey, a Notary Public, do hereby certify that Stephen Penn, Director of Planning & Economic Development, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this the 25th day of February, 2025.



My Commission Expires June 8, 2025

F & A CONSTRUCTION, LLC
1537 W 5TH ST
WASHINGTON, NC 27889

GREENVILLE MONTESSORI SCHOOL
822 LAURIE ELLIS RD
WINTERVILLE, NC 28590

JOAN ABERNATHY NEAL
JOAN ABERNATHY TRUSTEE FBO
WALTER LOUIS ROTH III, ET AL
750 HERMITAGE RD
MANAKIN SABOT, VA 23103

KARL WESLEY MCLAWHORN JR
ALLEN KARLA MCLAWHORN
PO BOX 611
WINTERVILLE, NC 28590

RANDY GEORGE SCHMIDT
CYNTHIA SCHMIDT
658 NORBERRY DR
WINTERVILLE, NC 28590

GREGORY W ALLEN
KARLA M ALLEN
753 LAURIE ELLIS RD
WINTERVILLE, NC 28590

SUE ELLEN BROCK
ALLEN DAVID BROCK, ET AL
1157 JACK JONES RD
WINTERVILLE, NC 28590

CITY OF GREENVILLE
GREENVILLE UTILITIES COMMISSION
PO BOX 1847
GREENVILLE, NC 27834

MATTHEW J GASKILL
DENISE C GASKILL
716 LAURIE ELLIS RD
WINTERVILLE, NC 28590

LAWANDA HAZELTON
CARL HAZELTON
659 NORBERRY DR
WINTERVILLE, NC 28590

ALVA W WORTHINGTON, JR
JONI B WORTHINGTON
5912 HEATHERSTONE DR
RALEIGH, NC 27606

LANGSTON FARMS LLC
4529 LOWELL ST NW
WASHINGTON, DC 20016

ELLIS PEDRO BALDERAS TRUSTEE
LAURIE HOWARD ELLIS JR EXEMPT
DECEDENTS TRUST ET AL
1036 MADISON AVE
SAN DIEGO, CA 92116

JANE MELLON BOFENKAMP
MARY F MELLON
PO BOX 1827
WAKE FOREST, NC 27588

ERIC GREGORY SMITH
852 LAURIE ELLIS RD
WINTERVILLE, NC 28590



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)756-2221
Fax (252)756-3109
www.wintervillenc.com

Town Council- Public Hearing Mellon and Neal Rezoning

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday March 10, 2025** at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, for consideration of the following request:

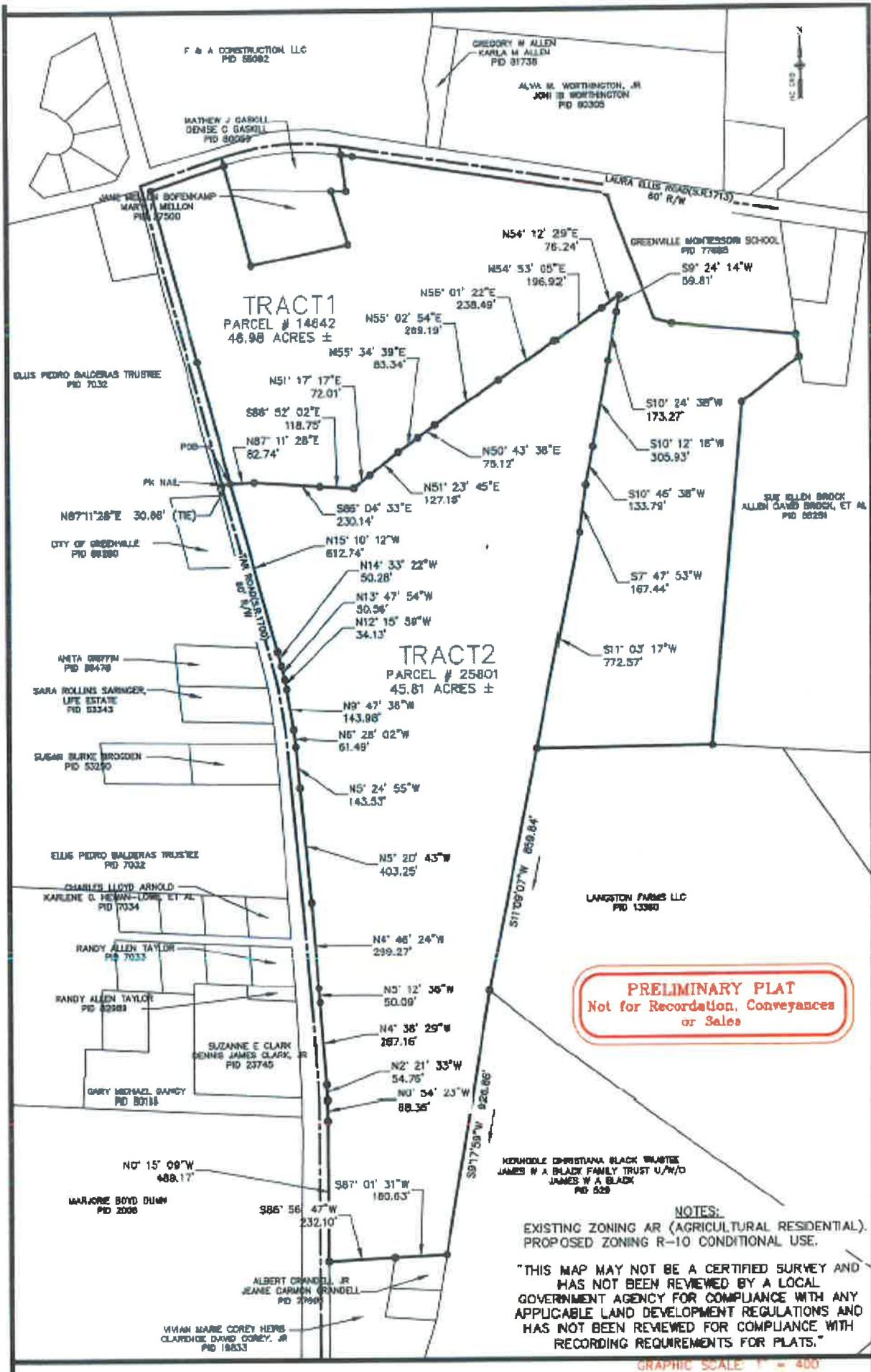
The Town of Winterville has received a rezoning application for parcel number **14642 (46.98 acres)** and parcel number **25801 (45.81 acres)**. The two parcels are located south east of the Old Tar Road and Laurie Ellis Road Intersection- as shown on the attached maps. The parcels are currently zoned Agricultural-Residential (A-R). The application is requesting to rezone the property to "R-10 Conditional District (CD)", in which the applicant has placed a condition onto the rezoning in which 10% of the site must remain open/passive recreation land once developed.

- The R-10 Zoning District is a quiet, medium-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the meeting and are welcome to speak for or against the proposed rezoning at the meeting. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.



TRACT 1
 PARCEL # 14842
 46.98 ACRES ±

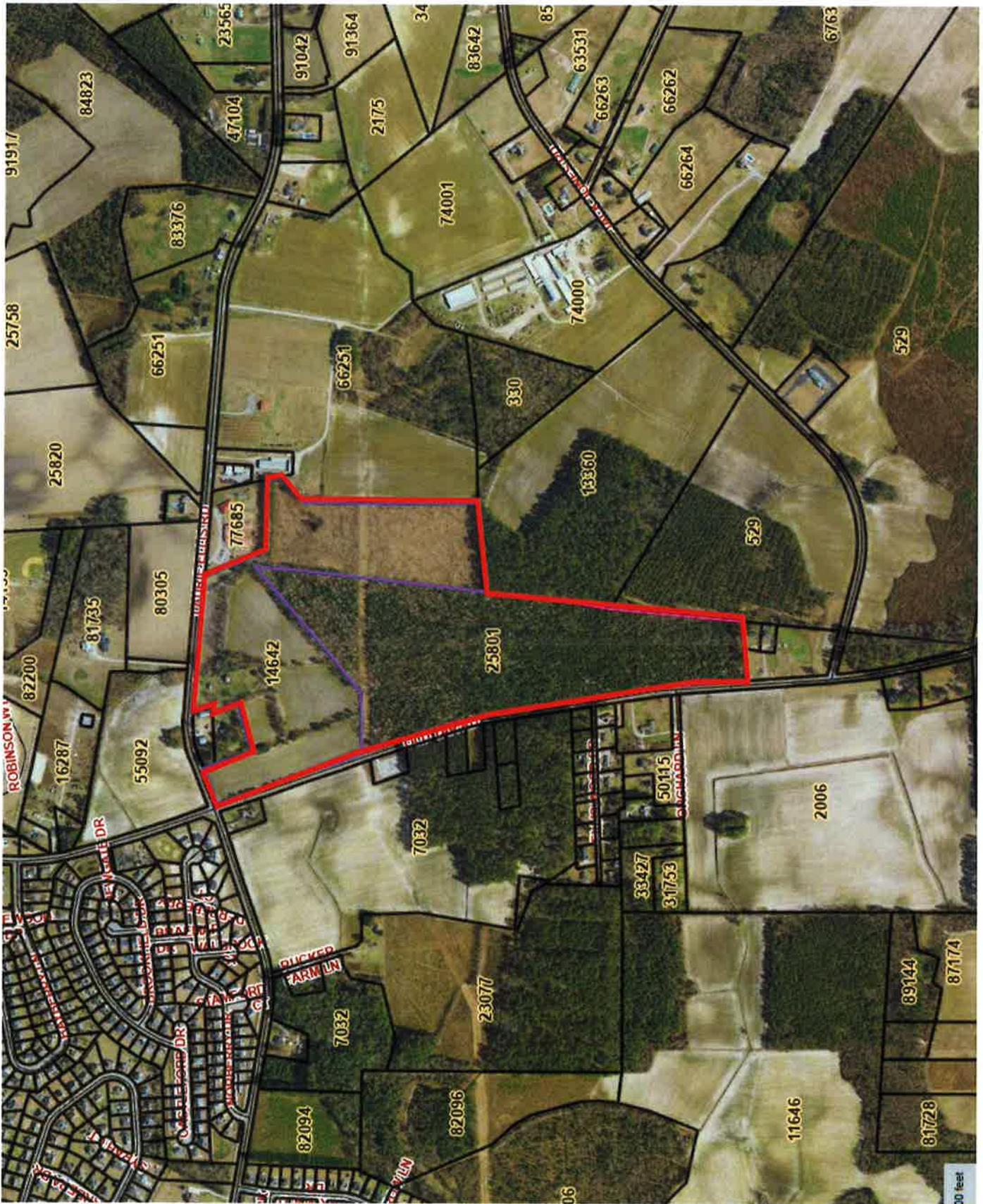
TRACT 2
 PARCEL # 25801
 45.81 ACRES ±

PRELIMINARY PLAT
 Not for Recordation, Conveyances
 or Sales

NOTES:
 EXISTING ZONING AR (AGRICULTURAL RESIDENTIAL).
 PROPOSED ZONING R-10 CONDITIONAL USE.

"THIS MAP MAY NOT BE A CERTIFIED SURVEY AND
 HAS NOT BEEN REVIEWED BY A LOCAL
 GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY
 APPLICABLE LAND DEVELOPMENT REGULATIONS AND
 HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH
 RECORDING REQUIREMENTS FOR PLATS."

GRAPHIC SCALE 1" = 400'



**Notice of Public Hearing
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, March 10, 2025 at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to consider the following requests and amendments:

Rezoning Text & Map Amendment: The Town of Winterville has received rezoning applications to rezone the following parcels from Agricultural-Residential (AR) to R-10 Conditional District (CD) in which 10% of the site will remain open space for passive recreation.

- Mellon Rezoning, Parcel 14642: 46.98 Acres on Laurie Ellis and Old Tar Road.
- Neal Rezoning, Parcel 25801: 45.81 Acres on Old Tar Road.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221; ext. 2360 or at www.wintervillenc.com.

The meeting is open to the public and will be available electronically. The public is encouraged to attend the meeting or watch the meeting live on YouTube (www.wintervillenc.com/videos). Persons having an interest in this matter and desiring to speak either for or against are encouraged to submit comments in writing prior to the meeting to stephen.penn@wintervillenc.com. Details on how to participate or view the meeting will be posted on the Town website. For further information, contact the Winterville Planning Department at (252) 756-2221; ext. 2360. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

Notes to Publisher:

Legal Advertisements
legals@apgenc.com
(252) 329-9521

Subject: Public Hearing for the Winterville Town Council Meeting on March 10th.

Please place the above legal advertisement in the Daily Reflector on Wednesday February 26, 2025 and Wednesday, March 5, 2025. Should you have any questions please contact me.

Please forward the invoice and Affidavit of Publication to me to assist with payment.

Thanks,

Donald Harvey, NCCMC
Town Clerk
Town of Winterville
2571 Railroad Street
PO Box 1459
Winterville, NC 28590
(252) 756-2221 – ext. 2344 – Phone
don.harvey@wintervillenc.com



**Town of Winterville
Rezoning Request
Statement of Consistency & Reasonableness
Mellon Rezoning
February 17, 2025- Planning and Zoning Board Meeting**

Consistency:

The proposed rezoning request **is consistent with the Town of Winterville's Comprehensive Land Use Plan** as parcel 14642 is designated as "Suburban Residential" on the Future Land Use Map.

**The Town of Winterville governing boards must approve written statements documenting their consideration of the plans when making rezoning and zoning text amendment decisions, although they do not have to take actions that are consistent with the plan.*

Decision: In review of the Winterville Comprehensive Land Use Plan, the Mellon Rezoning Amendment is found to be consistent with the Town of Winterville Comprehensive Plan on February 17, 2025.

Reasonableness:

The rezoning request **is** reasonable and in the public interest, in that it allows for land uses that **are** harmonious with surrounding land uses, land uses in close proximity, and is in the public interest:

- The Town of Winterville governing boards must adopt a statement of reasonableness for each rezoning. These factors are suggested and not mandated, as not all factors will be relevant to all zoning decisions. The following list of factors should be considered in a reasonableness analysis. **The Town of Winterville is considering:**

- i. The size, physical conditions, and other attributes of the area proposed to be rezoned;

Applicable? Y/N	If applicable, is the proposal reasonable:
	Decision _____

- ii. The benefits and detriments to the landowners, the neighbors, and the surrounding community;

Applicable? Y/N	If applicable, is the proposal reasonable:
	Decision _____

- iii. The relationship between the current, actual, and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- iv. Why the action taken is in the public interest; and

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- v. Any changed conditions warranting the amendment

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

In Review of the Mellon Rezoning Amendment, the rezoning request is reasonable and in the public interest, in that it allows for land uses that are harmonious with surrounding land uses and land uses in close proximity as found on February 17, 2025 by the Winterville Planning and Zoning Board.

Vote to Approve or Deny Rezoning:

In review of the Mellon Property rezoning proposal's, Consistency and Reasonableness, The Town of Winterville's Planning and Zoning Board recommends **approval** of the rezoning request by Thomas Engineering, to rezone 46.98 acres of property (Parcel # 14642), adjacent to Laurie Ellis Road and Old Tar Road, from Agricultural-Residential (AR) to R-10 Conditional District (CD).

Conditions:

- Ten Percent (10%) of the development must remain Open Space/Open Area upon development.



Staff Witness:

2/17/25

Date

****P&Z Vote was Unanimous (8-0).

Appendix/Other Considerations Specific to this Particular Rezoning:

****This rezoning is proposed as a Conditional District Rezoning. Conditional Districts contain additional considerations for their review:**

- **Conditional Districts:** In approving a Conditional District, the Town Council shall make the following affirmative findings:
 1. That the Use(s) requested is among those listed as an eligible Use in the corresponding General Zoning District.
 2. That the Use Limitations and Conditions as proposed and/or imposed for the Conditional District meet or exceed and/or are at least as restrictive as the minimum standards for the corresponding General Zoning District.
 3. That the Use Limitations and Conditions as proposed and/or imposed for the requested Conditional District can reasonably be implemented and enforced for the subject property.
 4. That when implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all those uses and the minimum standards of the corresponding General Zoning District.
 5. That the applicant has agreed to the use limitations and conditions as proposed and/or imposed for the requested Conditional District.

Document Links:

- Zoning Ordinance: https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/21-o-112_zoning_ordinance_amend-7.1_executed.pdf
 - Zoning Districts and Table of Uses: Article V.
 - Rezoning Amendment Procedures: Article XIII.
 - Land Use Plan: <https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/winterville-land-use-plan-adopted-10-14-2019-reduced.pdf>
 - Future Land Use Map & Character areas: Section 4; beginning on page 43.
 - Plan Consistency & Reasonableness Guidance: https://www.sog.unc.edu/sites/www.sog.unc.edu/files/6%20ConsistencyStatements_160DGuidanceDoc%20Mar%202021.pdf
-

**AN ORDINANCE TO AMEND CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA
OFFICIAL ZONING MAP**

WHEREAS, John G Thomas, of Thomas Engineering, PA, has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein from Agricultural-Residential (A-R) to R-10 Conditional District (R-10 CD).

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 6:00 p.m. on March 10, 2025, after due notice publication on February 26, 2025 and March 5, 2025; and

WHEREAS, due notice of said public hearing was also given by first class mail to the owners of all parcels, as shown on the County Tax Records, adjoining the parcel under consideration, certification of which has been to the Winterville Town Council; and

WHEREAS, due notice of said public hearing was also given by posting a rezoning request notice on the subject property;

WHEREAS, the Winterville Town Council finds that the proposed rezoning is in compliance with the Town of Winterville's Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from A-R to R-10 CD with the following conditions:

1. A minimum of 10% of the site must be dedicated to open space for passive recreation.

*The Mellon Property, a 46.98-acre tract land located on the corner of **Old Tar Road & Laurie Ellis Road, Tax Parcel 14642**, and being more particularly described on the attached legal description provided below.*

**LEGAL DESCRIPTION OF PROPERTY
REZONED FROM A-R to R-10 CD
Thomas Engineering, PA
WINTERVILLE TOWNSHIP, PITT, NC**

Exhibit "A"
Legal Description
Winterville, Pitt County, North Carolina
PARCEL 14642

All that certain lot or parcel of land situate and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows;

Beginning at a Point, Said Point being the southwestern most corner of Tract 3 as shown on that certain plat entitled "Survey for James D. Mellon and wife Margaret Ann Mellon Harris" dated April 7, 1995, as recorded in Map Book 45, Page 156 in the Pitt County Register of Deeds and being located in the Eastern right-of-way line of Tar Road, said point also being located a tie bearing and distance of North 87 degrees 11 minutes 28 seconds East for a distance of 30.66 feet from an existing PK Nail located in the centerline of Tar Road to the Point of Beginning; Thence, from said Point of Beginning along and with the Eastern right-of-way line of Tar Road (S.R. 1700) North 14 degrees 45 minutes 04 seconds West for a distance of 441.16 feet to a point; Thence, North 14 degrees 36 minutes 41 seconds West for a distance of 621.73 feet to a point in the intersection of the Eastern right-of-way line of Tar Road and the Southern right-of-way line of Laura Ellis Road (S.R. 1713); Thence, along and with the Southern right-of-way line of Laura Ellis Road North 71 degrees 11 minutes 56 seconds East for a distance of 267.76 feet to a point; Thence, cornering South 14 degrees 32 minutes 08 seconds East for a distance of 361.75 feet to a point; Thence, North 78 degrees 16 minutes 32 seconds East for a distance of 346.54 feet to a point; Thence, North 16 degrees 48 minutes 57 seconds West for a distance of 195.54 feet to a point; Thence, South 88 degrees 31 minutes 00 seconds East for a distance of 50.03 feet to a point; Thence, North 07 degrees 27 minutes 58 seconds West for a distance of 130.18 feet to a point in the Southern right-of-way line of Laura Ellis Road; Thence, along and with the Southern right-of-way line of Laura Ellis Road South 81 degrees 18 minutes 12 seconds East for a distance of 41.20 feet to a point; Thence, South 81 degrees 02 minutes 18 seconds East for a distance of 888.47 feet to a point; Thence, cornering South 20 degrees 23 minutes 28 seconds East for a distance of 467.17 feet to a point; Thence, South 74 degrees 22 minutes 11 seconds East for a distance of 62.76 feet to a point; Thence, South 83 degrees 56 minutes 04 seconds East for a distance of 431.41 feet to a point; Thence, South 07 degrees 50 minutes 48 seconds East for a distance of 78.13 feet to a point; Thence, South 51 degrees 33 minutes 42 seconds West for a distance of 253.96 feet to a point; Thence, South 04 degrees 58 minutes 06 seconds West for a distance of 1202.13 feet to a point; Thence, South 89 degrees 13 minutes 21 seconds West for a distance of 608.07 feet to a point; Thence, North 11 degrees 03 minutes 17 seconds East for a distance of 772.57 feet to a point; Thence, North 07 degrees 47 minutes 53 seconds East for a distance of 167.44 feet to a point; Thence, North 10 degrees 46 minutes 38 seconds East for a distance of 133.79 feet to a point; Thence, North 10 degrees 12 minutes 18 seconds East for a distance of 305.93 feet to a point; Thence, North 10 degrees 24 minutes 38 seconds East for a distance of 173.27 feet to a point; Thence, North 09 degrees 24 minutes 14 seconds East for a distance of 59.81 feet to a point; Thence, South 54 degrees 12 minutes 29 seconds West for a distance of 76.24 feet to a point; Thence, South 54 degrees 53 minutes 05 seconds West for a distance of 196.92 feet to a point; Thence, South 55

degrees 01 minutes 22 seconds West for a distance of 238.49 feet to a point; Thence, South 55 degrees 02 minutes 54 seconds West for a distance of 269.19 feet to a point; Thence, South 50 degrees 43 minutes 38 seconds West for a distance of 75.12 feet to a point; Thence, South 55 degrees 34 minutes 39 seconds West for a distance of 83.34 feet to a point; Thence, South 51 degrees 23 minutes 45 seconds West for a distance of 127.15 feet to a point; Thence, South 51 degrees 17 minutes 17 seconds West for a distance of 72.01 feet to a point; Thence, North 86 degrees 52 minutes 02 seconds West for a distance of 118.75 feet to a point; Thence, North 86 degrees 04 minutes 33 seconds West for a distance of 230.14 feet to a point; Thence, South 87 degrees 11 minutes 28 seconds West for a distance of 82.74 feet to the Point of Beginning;

Containing 46.98 acres, more or less. Together with and subject to all covenants, easements, and restrictions of record.

End of Legal Description

Section 2. This action shall be shown on the Official Zoning Map.

Section 3. This ordinance shall become effective upon adoption.

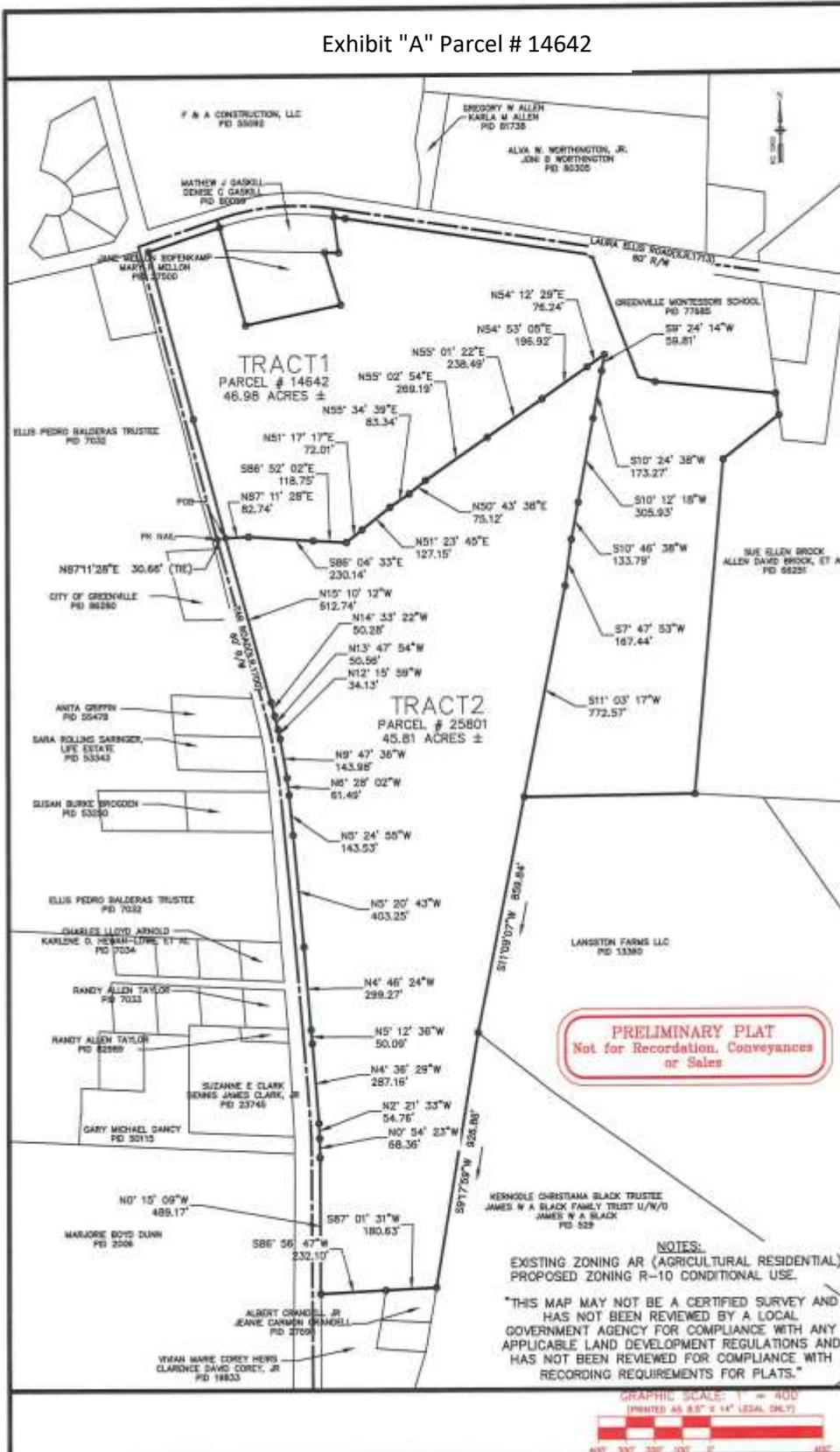
Adopted this 10th day of March 2025.

Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

Exhibit "A" Parcel # 14642





**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: March 10, 2025

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Mellon Rezoning.

Action Requested: Review Rezoning and Hold Public Hearing.

Attachment: Rezoning Application; Rezoning Map; Legal Description; Staff Report; Certified Notice to Adjoining Property Owners; Published Notice; P&Z Consistency, Reasonableness and Rezoning Vote; and Draft Rezoning Ordinance 25-O-031.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Applicant: Thomas Engineering (John Thomas).

Location: Southeastern Corner of Old Tar Rd and Laurie Ellis Road.

Parcel Numbers: 14642.

Site Data: 46.98 Acres.

Current Zoning District: Agricultural Residential (AR)

Proposed Zoning District: R-10 Conditional District (CD): Condition is that A minimum of 10% of the development will remain open for passive recreation space.

Comprehensive Plan/Future Land Use Plan Character Area: Suburban Residential Character Area.

Staff Analysis:

The 46.98-acre property is currently vacant and farmed land. The surrounding uses are dominated by single-family detached homes and agricultural land. The Comprehensive Land Use Plan designates this area as "Suburban Residential Character Area" and supports an R 10 Rezoning with the condition that a minimum of 10% of the land is to remain "open space".

Therefore, the rezoning request is consistent with the intent and purpose of the Comprehensive Land Use Plan, the Future Land Use Map and is compatible with the existing development and trends in the surrounding area.

Please review the attached documents, staff report, Comprehensive Land Use Plan, and Zoning Ordinance for more detail and information on the proposal.

P&Z Vote:

- (1) **This rezoning unanimously received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. (8-0).**

Budgetary Impact: TBD.

Recommendation: Staff recommends Approval of the rezoning request from A-R to R-10 CD with the condition that 10% of the future subdivision is dedicated/reserved for open space, as it is consistent with the Comprehensive Land Use Plan, is reasonable with the surrounding developments, and is within the public interest.



**REZONING APPLICATION
TOWN OF WINTERVILLE**

2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Joan Abernathy Neal

Address: 750 Hermatige Road, Manakin Sabot, VA 23103

Phone #: _____

Owner: Joan Abernathy Neal

Address: 750 Hermatige Road, Manakin Sabot, VA 23103

Phone #: _____

PROPERTY INFORMATION

Parcel #: 25801 Area (square feet or acres): 45.81 Acres

Current Land Use: Woods Land

Location of Property: East side of Old Tar Road, Southeast of Laurie Ellis Road & Old Tar Road Intersection

ZONING REQUEST

Existing Zoning: AR (Agricultural-Residential) Requested Zoning: R-10 Conditional Use

Reason for zoning change: To facilitate the development of a single family residential neighborhood in compliance with the Town of Winterville Comprehensive Land Use Plan with densities of 1-3 units per acre. The Land Use Plan identifies this area as "Suburban Residential". This request is for an R-10 Conditional Use to include a minimum 10% of open space for passive recreation.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

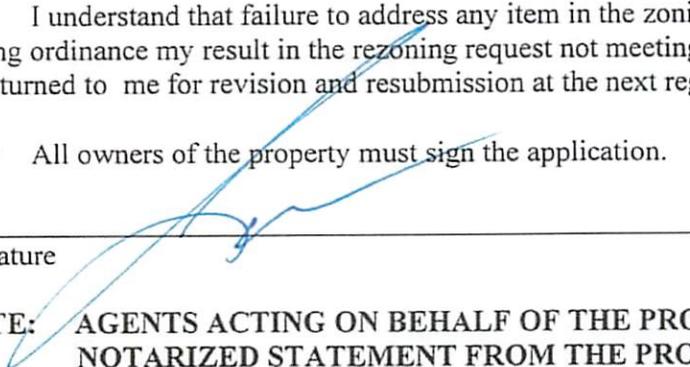
OWNER/AGENT STATEMENT

I, John G. Thomas (Agent), being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for January / 21 / 2025.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

- All owners of the property must sign the application.

Signature



Date

12/30/2024

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

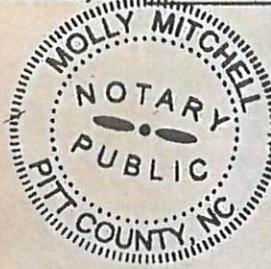
- All owners of the property must sign the application.

I, Christopher J. Hahn, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

COH
Signature

04 JAN 25
Date

Sworn to and subscribed before me, this 4th day of January, 2025.



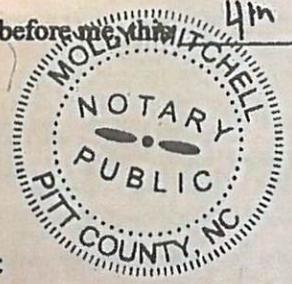
Molly Mitchell
Notary Public

My Commission Expires:
03-03-2029

I, Amy Hahn, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Amy Hahn Signature 1-4-25 Date

Sworn to and subscribed before me this 4th day of January, 2025.



Molly Mitchell
Notary Public

My Commission Expires:
03-03-2029

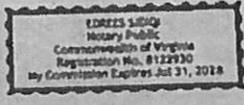
I, Polk M. Neal, Jr. & Joan Abernathy Neal^{ES} being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Joan Abernathy Neal Signature Date 12/31/24

Sworn to and subscribed before me, this 31st day of December, 2024.

Edrees Sidqi
Notary Public

My Commission Expires: 07/31/2028



I, Jane Abernathy Hahn, being the Owner of the property described

do hereby authorize John G. Thomas as agent for the purpose of this

application.

Jane Abernathy Hahn
Signature

12/31/24
Date

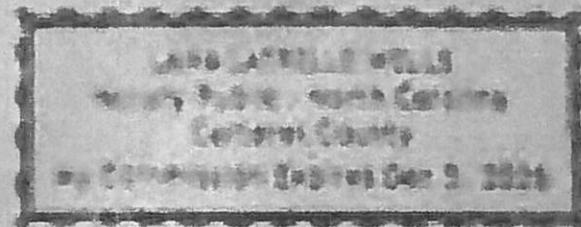
Sworn to and subscribed before me, this 31 day of December, 2024.

Lana Lohm Willis

Notary Public

My Commission Expires:

12/5/2024



I, Jerome Walker, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Signature *Jerome Walker* Date 12/30/2024

Sworn to and subscribed before me, this 30th day of DECEMBER, 2024.

Don J. Walker
Notary Public



My Commission Expires:

3/23/2026

I, Barbara W. Walker, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Barbara W. Walker 12/30/2024
Signature Date

Sworn to and subscribed before me, this 30th day of DECEMBER, 2024.

Debra J. Walker
Notary Public



My Commission Expires:

3/23/2026

I, Laura W. Holley, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

Laura W. Holley 1/4/25
Signature Date

Sworn to and subscribed before me, this 4th day of January, 2015.



April Shattuck
Notary Public

My Commission Expires:

10/03/2028

I, William E. Hahn, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

William Edward Hahn 01/03/2025
Signature Date

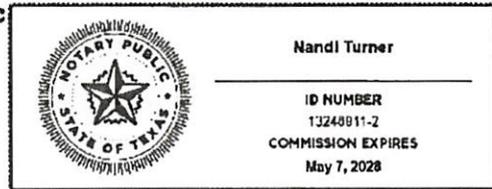
Sworn to and subscribed before me, this 3rd day of January, 2025.



Notary Public

My Commission Expires:

05/07/2028

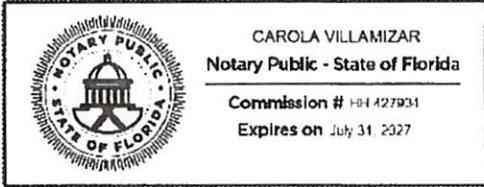


Electronically signed and notarized online using the Proof platform.

I, Armstrong Family Trust, being the Owner of the property described herein,
do hereby authorize John G. Thomas as agent for the purpose of this
application.

John Patrick Armstrong 12/30/2024
Signature Date

Sworn to and subscribed before me, this 30th day of December, 2024.



Carola Villamizar
Notary Public

My Commission Expires: 07/31/2027

Notarized remotely online using communication technology via Proof.

I, Walter Louis Roth III, being the Owner of the property described herein, do hereby authorize John G Thomas as agent for the purpose of this application.

Walter Louis Roth

Signature

12/31/2024

Date

Sworn to and subscribed before me, this 31st Day of December 2024.

Echard bien - aime

Notary Public

My Commission Expires:

07/14/2025

Notarized remotely online using communication technology via Proof.

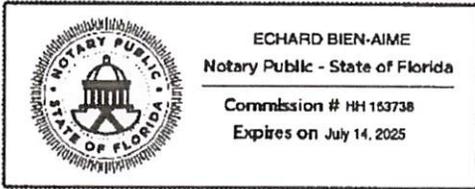
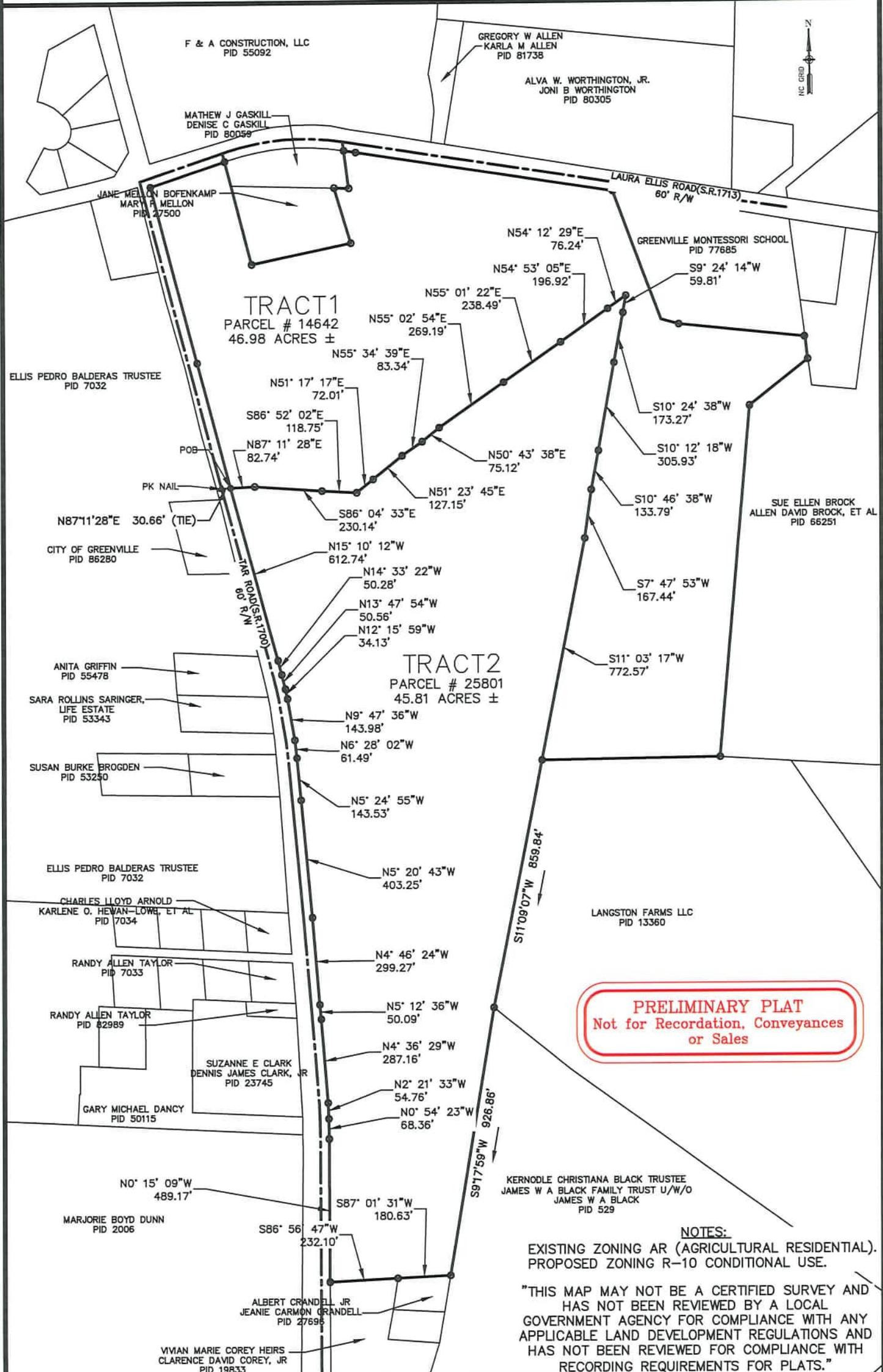


Exhibit "B" Parcel# 25801



PRELIMINARY PLAT
Not for Recordation, Conveyances or Sales

NOTES:
 EXISTING ZONING AR (AGRICULTURAL RESIDENTIAL).
 PROPOSED ZONING R-10 CONDITIONAL USE.
 "THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS."



Exhibit "A"
Legal Description
Winterville, Pitt County, North Carolina
PARCEL 25801

All that certain lot or parcel of land situate and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows;

Beginning at a Point, Said Point being the southwestern most corner of Tract 3 as shown on that certain plat entitled "Survey for James D. Mellon and wife Margaret Ann Mellon Harris" dated April 7, 1995, as recorded in Map Book 45, Page 156 in the Pitt County Register of Deeds and being located in the Eastern right-of-way line of Tar Road, said point also being located a tie bearing and distance of North 87 degrees 11 minutes 28 seconds East for a distance of 30.66 feet from an existing PK Nail located in the centerline of Tar Road to the Point of Beginning;

Thence, from Said Point of Beginning North 87 degrees 11 minutes 28 seconds East for a distance of 82.74 feet to a point; Thence, South 86 degrees 04 minutes 33 seconds East for a distance of 230.14 feet to a point; Thence, South 86 degrees 52 minutes 02 seconds East for a distance of 118.75 feet to a point; Thence, North 51 degrees 17 minutes 17 seconds East for a distance of 72.01 feet to a point; Thence, North 51 degrees 23 minutes 45 seconds East for a distance of 127.15 feet to a point; Thence, North 55 degrees 34 minutes 39 seconds East for a distance of 83.34 feet to a point; Thence, North 50 degrees 43 minutes 38 seconds East for a distance of 75.12 feet to a point; Thence, North 55 degrees 02 minutes 54 seconds East for a distance of 269.19 feet to a point; Thence, North 55 degrees 01 minutes 22 seconds East for a distance of 238.49 feet to a point; Thence, North 54 degrees 53 minutes 05 seconds East for a distance of 196.92 feet to a point; Thence, North 54 degrees 12 minutes 29 seconds East for a distance of 76.24 feet to a point; Thence, South 09 degrees 24 minutes 14 seconds West for a distance of 59.81 feet to a point; Thence, South 10 degrees 24 minutes 38 seconds West for a distance of 173.27 feet to a point; Thence, South 10 degrees 12 minutes 18 seconds West for a distance of 305.93 feet to a point; Thence, South 10 degrees 46 minutes 38 seconds West for a distance of 133.79 feet to a point; Thence, South 07 degrees 47 minutes 53 seconds West for a distance of 167.44 feet to a point; Thence, South 11 degrees 03 minutes 17 seconds West for a distance of 772.57 feet to a point; Thence, South 11 degrees 09 minutes 07 seconds West for a distance of 859.84 feet to a point; Thence, South 09 degrees 17 minutes 59 seconds West for a distance of 926.86 feet to a point; Thence, South 87 degrees 01 minutes 31 seconds West for a distance of 180.63 feet to a point; Thence, South 86 degrees 56 minutes 47 seconds West for a distance of 232.10 feet to a point in the Eastern right-of way line of Tar Road (S.R. 1700); Thence, along and with the Eastern right-of-way line of Tar Road North 00 degrees 15 minutes 09 seconds West for a distance of 489.17 feet to a point; Thence, North 00 degrees 54 minutes 23 seconds West for a distance of 68.36 feet to a point; Thence, North 02 degrees 21 minutes 33 seconds West for a distance of 54.76 feet to a point; Thence, North 04 degrees 36 minutes 29 seconds West for a distance of 287.16 feet to a point; Thence, North 05 degrees 12 minutes 36 seconds West for a distance of 50.09 feet to a point; Thence, North 04 degrees 46 minutes 24 seconds West for a distance of 299.27 feet to a point; Thence, North 05 degrees 20 minutes 43 seconds West for a distance of 403.25 feet to a point; Thence, North 05 degrees 24 minutes 55 seconds West for a distance of 143.53 feet to a point; Thence, North 06 degrees 28 minutes 02

seconds West for a distance of 61.49 feet to a point; Thence, North 09 degrees 47 minutes 36 seconds West for a distance of 143.98 feet to a point; Thence, North 12 degrees 15 minutes 59 seconds West for a distance of 34.13 feet to a point; Thence, North 13 degrees 47 minutes 54 seconds West for a distance of 50.56 feet to a point; Thence, North 14 degrees 33 minutes 22 seconds West for a distance of 50.28 feet to a point; Thence, North 15 degrees 10 minutes 12 seconds West for a distance of 612.74 feet to the Point of Beginning.

Containing 45.81 acres, more or less.

Together with and subject to all covenants, easements, and restrictions of record.

End of Legal Description



**Town of Winterville Planning Department
Zoning Staff Report
Neal Rezoning and Mellon Rezoning.**

GENERAL INFORMATION

APPLICANT	John Thomas (applicant and agent on behalf of the owners)
HEARING TYPE	Rezoning Request
REQUEST	R-10 Conditional District (CD)
CONDITIONS	A minimum of 10% of the development will remain open for passive recreation space.
LOCATION	Southeastern Corner of Old Tar Rd and Laurie Ellis Rd.
PARCEL ID NUMBER(S)	25801 & 14642.
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request & Public Hearing on 2/25/25. Notification was posted on site on 1/9/25. 39 properties were mailed notification.
TRACT SIZE	Parcel Number 25801 is 45.81 acres; Parcel number 14642 contains 46.98 acres. Entire site contains 92.79 +/- acres
TOPOGRAPHY	Flat
VEGETATION	Wooded and Agricultural Land.

SITE DATA

EXISTING USE	Vacant/ Wooded/Agricultural Uses.
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ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	Laurie Ellis Road is directly to the north, on the north side of Laurie Ellis Road, contains the following adjacent Zoning Districts: CN (Neighborhood Commercial) and AR (Agricultural Residential).	Vacant Agricultural Land north of Laurie Ellis Road.
W	Old Tar Road is directly to the west of this property, on the western side of Laurie Ellis Road, contains the following Zoning Districts: AR (Agricultural Residential).	Single Family Residential and Vacant agricultural land.



E	AR (Agricultural Residential). & Pitt County's "Rural Residential".	Private School, Events Venue, and vacant agricultural land.
S	Pitt County's "Rural Residential".	Single Family Residential,

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	A-R	R-10 CD.
MAX DENSITY	TBD - AR allows for 20,000sf minimum residential lots.	TBD- R-10 Allows for 10,000sf minimum residential lots.
TYPICAL USES	AR- Low density residential, agricultural uses, etc.	R-10- medium density residential/single-family detached.

SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site Plan / Construction Plan required.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Old Tar Road – NCDOT Street- Minor Thoroughfare. Laurie Ellis Roan – NCDOT Street- Minor Thoroughfare.
-----------------------	---



SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Latest Traffic count on Old Tar Road, in front of this site 3100 AADT (2022); Latest Traffic count on Laurie Ellis Rd, near site (just to the east) 1200 AADT (2022).
Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection. * LOS is rated from A-F: A is the best, F the worst. * Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.	Old Tar Road Existing Grade- A Old Tar Road Future Grade- A. Laurie Ellis Road Existing Grade- Very Low A. Laurie Ellis Road Future Grade- Very Low A.
TRIP GENERATION	TBD.
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A – Rezoning Phase.
OTHER	N/A

IMPACT ANALYSIS

Land Use Compatibility

The proposed R-10 with a condition in which 10% of the site is to remain open-space, for passive recreation meet the current development trends within the area and match the Comprehensive Land Use Plan's recommendation for this area. The property is in an area that is receiving significant interest from residential developers.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a suburban residential character area. The Suburban Residential Character area is described as "primarily the large lot, single family detached residential that many people love about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front- and side-loaded garages. Smaller lot sizes are occasionally appropriate if minimum standards for open space and amenities are exceeded."



Comprehensive Land Use Plans - Recommendations & Implementation

Suburban Residential - General Character:

1. General Character: Large lot, low density single family residential was identified by the community as a land use type that was appropriate and valued in many locations. This flexible land use type is appropriate for many area of the planning area and will likely be served by Town Utilities.
2. Uses: Primarily Single Family Detached Residential with sewer services.
3. Potential Zones:
 - Typically: R-20, R-15, R 12.5.
 - R-10 or R-8 are potential zones if addition open space or amenities are provided.
 - Additional Open Space, containing of passive recreation, trails, playgrounds, amenity centers, fields, and greens are categorized as at least 10% of the overall space which is to be dedicated as open space/amenities.
 -

Comprehensive Plan and Land Use - Recommendation:

- **Maintain and improve neighborhood character:**
 - Encourage Open Space and amenities in new developments.
- **Reinforce the Town's Identity as a family-friendly community:**
 - Support rezoning to residential uses in the Suburban Residential and Urban Neighborhood areas as identified on the future land use map.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 92.79-acre property is currently vacant. The surrounding properties are mostly vacant, agricultural land, with some rural residential homes. The proposed R-10 CD rezoning is consistent with the development trends in the area and is consistent with the Comprehensive Land Use Plan.



Staff Recommendation

Staff recommends **approval** of the rezoning request from A-R to R-10 CD with the condition that requires 10% of the site to remain open space, upon development.

Planning and Zoning Recommendation

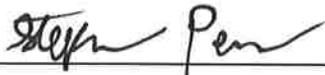
- **This rezoning unanimously received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. (8-0).**

**Neal Rezoning
Mailed Notice for March 2025 Council Meeting Date
Parcel 25801
Letters Mailed on February 25, 2025**

**STATE OF NORTH CAROLINA
PITT COUNTY**

I, Stephen Penn, Director of Planning and Economic Development of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice and map were mailed, this day by first class mail, postage prepaid, to the owner of the parcel under consideration and to the owners, as shown on the Pitt County Tax Records, of all abutting parcels. A list of these property owners is also attached hereto.

WITNESS my hand this the 25th day of February, 2025.

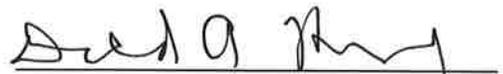


Director of Planning & Economic Development

**STATE OF NORTH CAROLINA
PITT COUNTY**

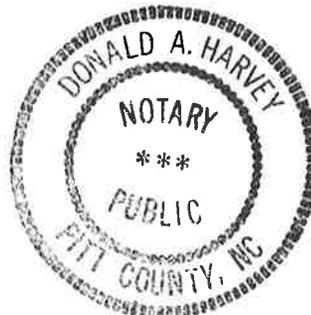
I, Donald A. Harvey, a Notary Public, do hereby certify that Stephen Penn, Director of Planning & Economic Development, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this the 25th day of February, 2025.



Notary Public

My Commission Expires June 8, 2025



JANE MELLON BOFENKAMP
MARY F MELLON
PO BOX 1827
WAKE FOREST, NC 27588

GREENVILLE MONTESSORI SCHOOL
822 LAURIE ELLIS RD
WINTERVILLE, NC 28590

JOAN ABERNATHY NEAL
JOAN ABERNATHY TRUSTEE FBO
WALTER LOUIS ROTH III, ET AL
750 HERMITAGE RD
MANAKIN SABOT, VA 23103

VIVIAN MARIE COREY HEIRS
CLARENCE DAVID COREY, JR
725 STRETFORD WAY APT 208
HYATTSVILLE, MD 20785

SUZANNE E CLARK
DENNIS JAMES CLARK, JR
5430 OLD TAR RD
WINTERVILLE, NC 28590

SUTTON REALTY LLC
113 W FIRE TOWER RD STE I
WINTERVILLE, NC 28590

GEORGE MECON DICKENS
MARGARET LEE KELSO
525 GRAVEL HILL RD
FORK UNION, VA 23055

BELINDA YANDA
MICHELLE YANDA
10323 SW 114TH ST
MIAMI, FL 33176

KERNODLE CHRISTIANA BLACK TRUSTEE
JAMES W A BLACK FAMILY TRUST U/W/O
JAMES W A BLACK
1926 W LAKE DR
BURLINGTON, NC 27215

AUGUSTUS BAKER
5497 OLD TAR RD
WINTERVILLE, NC 28590

CITY OF GREENVILLE
GREENVILLE UTILITIES COMMISSION
PO BOX 1847
GREENVILLE, NC 27834

MARJORIE BOYD DUNN
PO BOX 490
WINTERVILLE, NC 28590

RANDY ALAN TAYLOR
BOBBIE JO TAYLOR
5430 OLD TAR RD
WINTERVILLE, NC 28590

SANDRA S HECK
762 ELLIS WOOD DR
WINTERVILLE, NC 28590

MONROE WATERS
LORRAINE FAYE WATERS
PO BOX 34
WINTERVILLE, NC 28590

SARA ROLLINS SARINGER, LIFE ESTATE
SARA MAUREEN SARINGER, REMAINDER
ET AL
809 EGAN ST
DENTON, TX 76201

ALBERT CRANDELL JR
JEANIE CARMON CRANDELL
104 ROANOKE PLACE
GREENVILLE, NC 27834

LANGSTON FARMS LLC
4529 LOWELL ST NW
WASHINGTON, DC 20016

ELLIS PEDRO BALDERAS TRUSTEE
LAURIE HOWARD ELLIS JR EXEMPT
DECEDENTS TRUST ET AL
1036 MADISON AVE
SAN DIEGO, CA 92116

GARY MICHAEL DANCY
719 ORCHARD LN
WINTERVILLE, NC 28590

RANDY ALLEN TAYLOR
786 ELLIS WOOD DR
WINTERVILLE, NC 28590

CHARLES LLOYD ARNOLD
KARLENE O HEWAN-LOWE, ET AL
740 GREENVILLE BLVD
GREENVILLE, NC 27858

SUSAN BURKE BROGDEN
4521 WATERWHEEL TURN
PENSACOLA, FL 32514

ANITA GRIFFIN
317 BRUNER AVE
EVERGREEN, AL 36401



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)756-2221
Fax (252)756-3109
www.wintervillenc.com

Town Council- Public Hearing Mellon and Neal Rezoning

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday March 10, 2025** at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, for consideration of the following request:

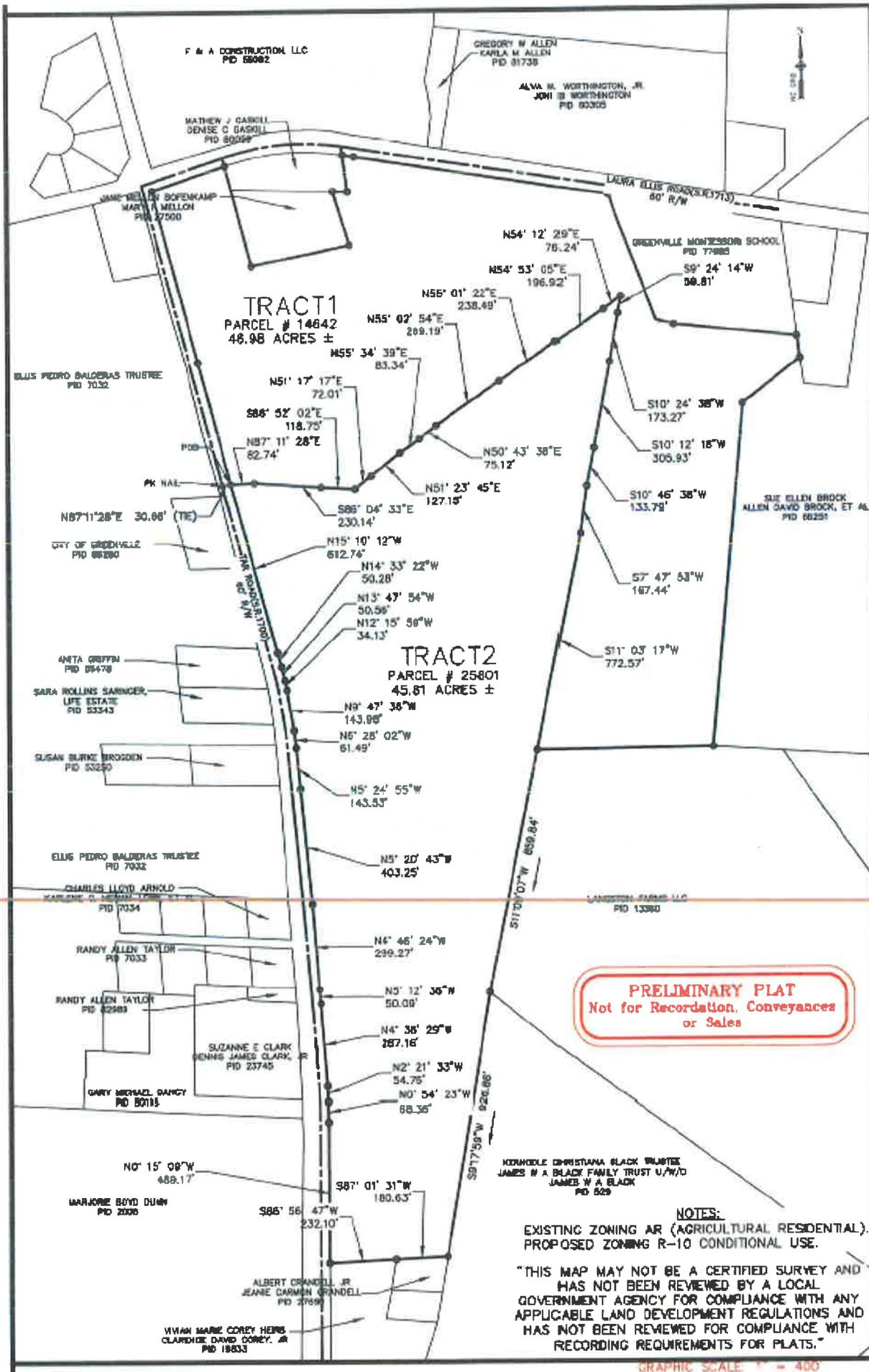
The Town of Winterville has received a rezoning application for parcel number **14642 (46.98 acres)** and parcel number **25801 (45.81 acres)**. The two parcels are located south east of the Old Tar Road and Laurie Ellis Road Intersection- as shown on the attached maps. The parcels are currently zoned Agricultural-Residential (A-R). The application is requesting to rezone the property to "R-10 Conditional District (CD)", in which the applicant has placed a condition onto the rezoning in which 10% of the site must remain open/passive recreation land once developed.

- The R-10 Zoning District is a quiet, medium-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the meeting and are welcome to speak for or against the proposed rezoning at the meeting. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.



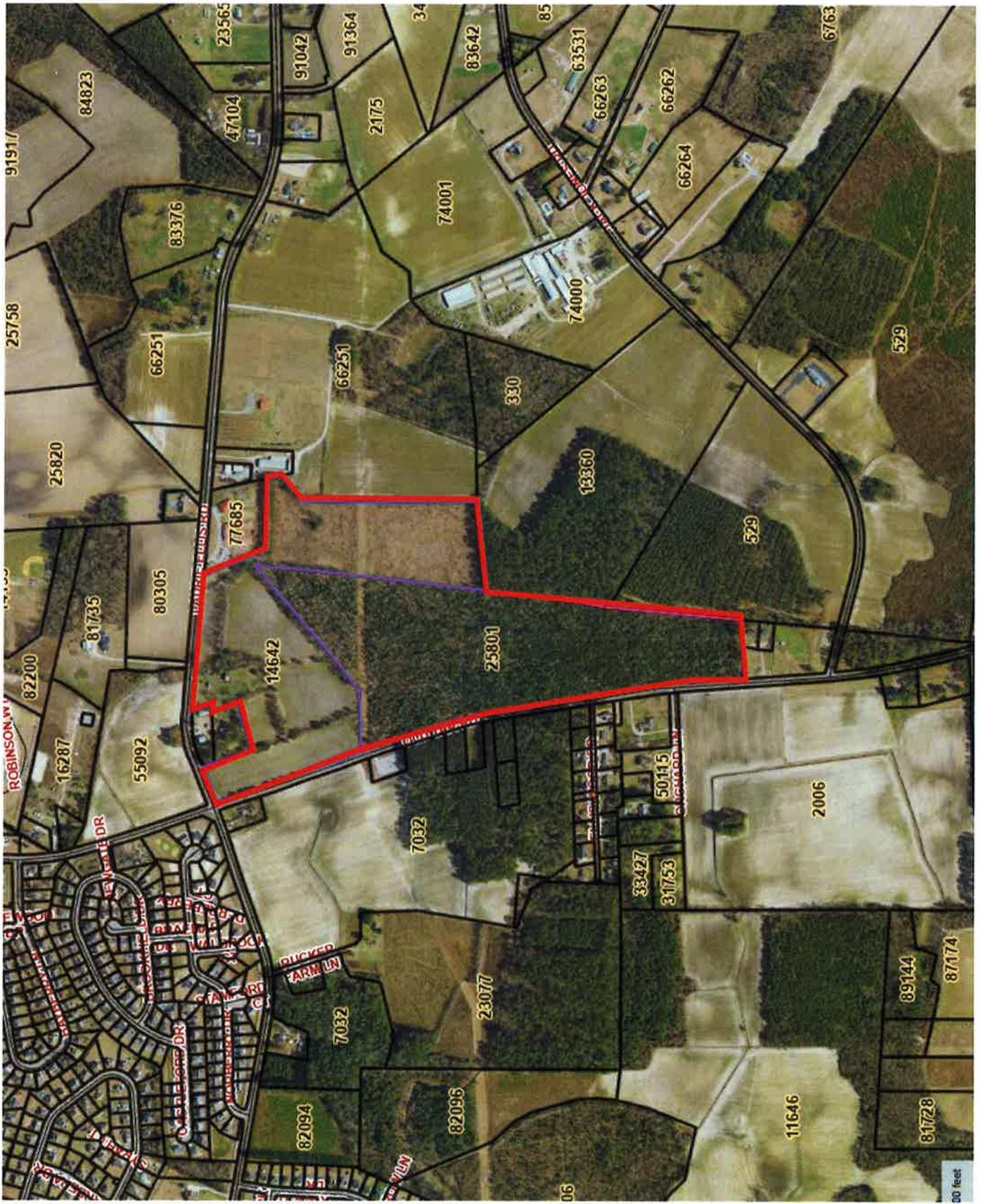
TRACT 1
 PARCEL # 14642
 46.98 ACRES ±

TRACT 2
 PARCEL # 25801
 45.81 ACRES ±

PRELIMINARY PLAT
 Not for Recordation, Conveyances
 or Sales

NOTES:
 EXISTING ZONING AR (AGRICULTURAL RESIDENTIAL).
 PROPOSED ZONING R-10 CONDITIONAL USE.
 "THIS MAP MAY NOT BE A CERTIFIED SURVEY AND
 HAS NOT BEEN REVIEWED BY A LOCAL
 GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY
 APPLICABLE LAND DEVELOPMENT REGULATIONS AND
 HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH
 RECORDING REQUIREMENTS FOR PLATS."

GRAPHIC SCALE 1" = 400'



**Notice of Public Hearing
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, March 10, 2025 at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to consider the following requests and amendments:

Rezoning Text & Map Amendment: The Town of Winterville has received rezoning applications to rezone the following parcels from Agricultural-Residential (AR) to R-10 Conditional District (CD) in which 10% of the site will remain open space for passive recreation.

- Mellon Rezoning, Parcel 14642: 46.98 Acres on Laurie Ellis and Old Tar Road.
- Neal Rezoning, Parcel 25801: 45.81 Acres on Old Tar Road.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221; ext. 2360 or at www.wintervillenc.com.

The meeting is open to the public and will be available electronically. The public is encouraged to attend the meeting or watch the meeting live on YouTube (www.wintervillenc.com/videos). Persons having an interest in this matter and desiring to speak either for or against are encouraged to submit comments in writing prior to the meeting to stephen.penn@wintervillenc.com. Details on how to participate or view the meeting will be posted on the Town website. For further information, contact the Winterville Planning Department at (252) 756-2221; ext. 2360. The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

Notes to Publisher:

Legal Advertisements
legals@apgenc.com
(252) 329-9521

Subject: Public Hearing for the Winterville Town Council Meeting on March 10th.

Please place the above legal advertisement in the Daily Reflector on Wednesday February 26, 2025 and Wednesday, March 5, 2025. Should you have any questions please contact me.

Please forward the invoice and Affidavit of Publication to me to assist with payment.

Thanks,

Donald Harvey, NCCMC
Town Clerk
Town of Winterville
2571 Railroad Street
PO Box 1459
Winterville, NC 28590
(252) 756-2221 – ext. 2344 – Phone
don.harvey@wintervillenc.com



**Town of Winterville
Rezoning Request
Statement of Consistency & Reasonableness**

**Neal Rezoning
February 17, 2025- Planning and Zoning Board Meeting**

Consistency:

The proposed rezoning request **is consistent with the Town of Winterville's Comprehensive Land Use Plan** as parcel 25801 is designated as "Suburban Residential" on the Future Land Use Map.

**The Town of Winterville governing boards must approve written statements documenting their consideration of the plans when making rezoning and zoning text amendment decisions, although they do not have to take actions that are consistent with the plan.*

Decision: In review of the Winterville Comprehensive Land Use Plan, the Neal Rezoning Amendment is found to be consistent with the Town of Winterville Comprehensive Plan on February 17, 2025.

Reasonableness:

The rezoning request **is** reasonable and in the public interest, in that it allows for land uses that **are** harmonious with surrounding land uses, land uses in close proximity, and is in the public interest:

- The Town of Winterville governing boards must adopt a statement of reasonableness for each rezoning. These factors are suggested and not mandated, as not all factors will be relevant to all zoning decisions. The following list of factors should be considered in a reasonableness analysis. **The Town of Winterville is considering:**

- i. The size, physical conditions, and other attributes of the area proposed to be rezoned;

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- ii. The benefits and detriments to the landowners, the neighbors, and the surrounding community;

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- iii. The relationship between the current, actual, and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- iv. Why the action taken is in the public interest; and

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- v. Any changed conditions warranting the amendment

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

In Review of the Neal Rezoning Amendment, the rezoning request is reasonable and in the public interest, in that it allows for land uses that are harmonious with surrounding land uses and land uses in close proximity as found on February 17, 2025 by the Winterville Planning and Zoning Board.

Vote to Approve or Deny Rezoning:

In review of the Neal Property rezoning proposal's, Consistency and Reasonableness, The Town of Winterville's Planning and Zoning Board recommends **approval** of the rezoning request by Thomas Engineering, to rezone 45.81 acres of property (Parcel # 25801), adjacent to Old Tar Road, from Agricultural-Residential (AR) to R-10 Conditional District (CD).

Conditions:

- Ten Percent (10%) of the development must remain Open Space/Open Area upon development.



Staff Witness:

2/17/25

Date

**** P&Z Vote was unanimous (8-0).

Appendix/Other Considerations Specific to this Particular Rezoning:

****This rezoning is proposed as a Conditional District Rezoning. Conditional Districts contain additional considerations for their review:**

- **Conditional Districts:** In approving a Conditional District, the Town Council shall make the following affirmative findings:
 1. That the Use(s) requested is among those listed as an eligible Use in the corresponding General Zoning District.
 2. That the Use Limitations and Conditions as proposed and/or imposed for the Conditional District meet or exceed and/or are at least as restrictive as the minimum standards for the corresponding General Zoning District.
 3. That the Use Limitations and Conditions as proposed and/or imposed for the requested Conditional District can reasonably be implemented and enforced for the subject property.
 4. That when implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all those uses and the minimum standards of the corresponding General Zoning District.
 5. That the applicant has agreed to the use limitations and conditions as proposed and/or imposed for the requested Conditional District.

Document Links:

- Zoning Ordinance: https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/21-o-112_zoning_ordinance_amend-7.1_executed.pdf
 - Zoning Districts and Table of Uses: Article V.
 - Rezoning Amendment Procedures: Article XIII.
 - Land Use Plan: <https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/winterville-land-use-plan-adopted-10-14-2019-reduced.pdf>
 - Future Land Use Map & Character areas: Section 4; beginning on page 43.
 - Plan Consistency & Reasonableness Guidance: https://www.sog.unc.edu/sites/www.sog.unc.edu/files/6%20ConsistencyStatements_160DGuidanceDoc%20Mar%202021.pdf
-

**AN ORDINANCE TO AMEND CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA
OFFICIAL ZONING MAP**

WHEREAS, John G Thomas, of Thomas Engineering, PA, has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein from Agricultural-Residential (A-R) to R-10 Conditional District (R-10 CD).

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 6:00 p.m. on March 10, 2025, after due notice publication on February 26, 2025 and March 5, 2025; and

WHEREAS, due notice of said public hearing was also given by first class mail to the owners of all parcels, as shown on the County Tax Records, adjoining the parcel under consideration, certification of which has been to the Winterville Town Council; and

WHEREAS, due notice of said public hearing was also given by posting a rezoning request notice on the subject property;

WHEREAS, the Winterville Town Council finds that the proposed rezoning is in compliance with the Town of Winterville's Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from A-R to R-10 CD with the following conditions:

1. A minimum of 10% of the site must be dedicated to open space for passive recreation.

*The Neal Property, a 45.81-acre tract land located on **Old Tar Road, Tax Parcel 25801**, and being more particularly described on the attached legal description provided below.*

**LEGAL DESCRIPTION OF PROPERTY
REZONED FROM A-R to R-10 CD
Thomas Engineering, PA
WINTERVILLE TOWNSHIP, PITT, NC**

Exhibit "A"
Legal Description
Winterville, Pitt County, North Carolina
PARCEL 25801

All that certain lot or parcel of land situate and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows;

Beginning at a Point, Said Point being the southwestern most corner of Tract 3 as shown on that certain plat entitled "Survey for James D. Mellon and wife Margaret Ann Mellon Harris" dated April 7, 1995, as recorded in Map Book 45, Page 156 in the Pitt County Register of Deeds and being located in the Eastern right-of-way line of Tar Road, said point also being located a tie bearing and distance of North 87 degrees 11 minutes 28 seconds East for a distance of 30.66 feet from an existing PK Nail located in the centerline of Tar Road to the Point of Beginning; Thence, from Said Point of Beginning North 87 degrees 11 minutes 28 seconds East for a distance of 82.74 feet to a point; Thence, South 86 degrees 04 minutes 33 seconds East for a distance of 230.14 feet to a point; Thence, South 86 degrees 52 minutes 02 seconds East for a distance of 118.75 feet to a point; Thence, North 51 degrees 17 minutes 17 seconds East for a distance of 72.01 feet to a point; Thence, North 51 degrees 23 minutes 45 seconds East for a distance of 127.15 feet to a point; Thence, North 55 degrees 34 minutes 39 seconds East for a distance of 83.34 feet to a point; Thence, North 50 degrees 43 minutes 38 seconds East for a distance of 75.12 feet to a point; Thence, North 55 degrees 02 minutes 54 seconds East for a distance of 269.19 feet to a point; Thence, North 55 degrees 01 minutes 22 seconds East for a distance of 238.49 feet to a point; Thence, North 54 degrees 53 minutes 05 seconds East for a distance of 196.92 feet to a point; Thence, North 54 degrees 12 minutes 29 seconds East for a distance of 76.24 feet to a point; Thence, South 09 degrees 24 minutes 14 seconds West for a distance of 59.81 feet to a point; Thence, South 10 degrees 24 minutes 38 seconds West for a distance of 173.27 feet to a point; Thence, South 10 degrees 12 minutes 18 seconds West for a distance of 305.93 feet to a point; Thence, South 10 degrees 46 minutes 38 seconds West for a distance of 133.79 feet to a point; Thence, South 07 degrees 47 minutes 53 seconds West for a distance of 167.44 feet to a point; Thence, South 11 degrees 03 minutes 17 seconds West for a distance of 772.57 feet to a point; Thence, South 11 degrees 09 minutes 07 seconds West for a distance of 859.84 feet to a point; Thence, South 09 degrees 17 minutes 59 seconds West for a distance of 926.86 feet to a point; Thence, South 87 degrees 01 minutes 31 seconds West for a distance of 180.63 feet to a point; Thence, South 86 degrees 56 minutes 47 seconds West for a distance of 232.10 feet to a point in the Eastern right-of way line of Tar Road (S.R. 1700); Thence, along and with the Eastern right-of-way line of Tar Road North 00 degrees 15 minutes 09 seconds West for a distance of 489.17 feet to a point; Thence, North 00 degrees 54 minutes 23 seconds West for a distance of 68.36 feet to a point; Thence, North 02 degrees 21 minutes 33 seconds West for a distance of 54.76 feet to a point; Thence, North 04 degrees 36 minutes 29 seconds West for a distance of 287.16 feet to a point; Thence, North 05 degrees 12 minutes 36 seconds West for a distance of 50.09 feet to a point; Thence, North 04 degrees 46 minutes 24 seconds West for a distance of 299.27 feet to a point; Thence, North 05 degrees 20 minutes 43 seconds West for a distance of 403.25 feet to a point; Thence, North 05 degrees 24 minutes 55 seconds West for a distance of 143.53 feet to a point; Thence, North 06 degrees 28 minutes 02 seconds West for a distance of 61.49 feet to a point; Thence, North 09 degrees 47 minutes 36 seconds West for a distance of 143.98 feet to a point; Thence, North 12 degrees 15 minutes 59 seconds West for a distance of 34.13 feet to a point; Thence, North 13 degrees 47 minutes 54 seconds West for a distance of 50.56 feet to a point; Thence, North 14 degrees 33 minutes 22 seconds West for a distance of 50.28 feet to a point; Thence, North 15 degrees 10 minutes 12 seconds West for a distance of 612.74 feet to the Point of Beginning.

Containing 45.81 acres, more or less.

Together with and subject to all covenants, easements, and restrictions of record.

End of Legal Description

Section 2. This action shall be shown on the Official Zoning Map.

Section 3. This ordinance shall become effective upon adoption.

Adopted this 10TH day of March 2025.

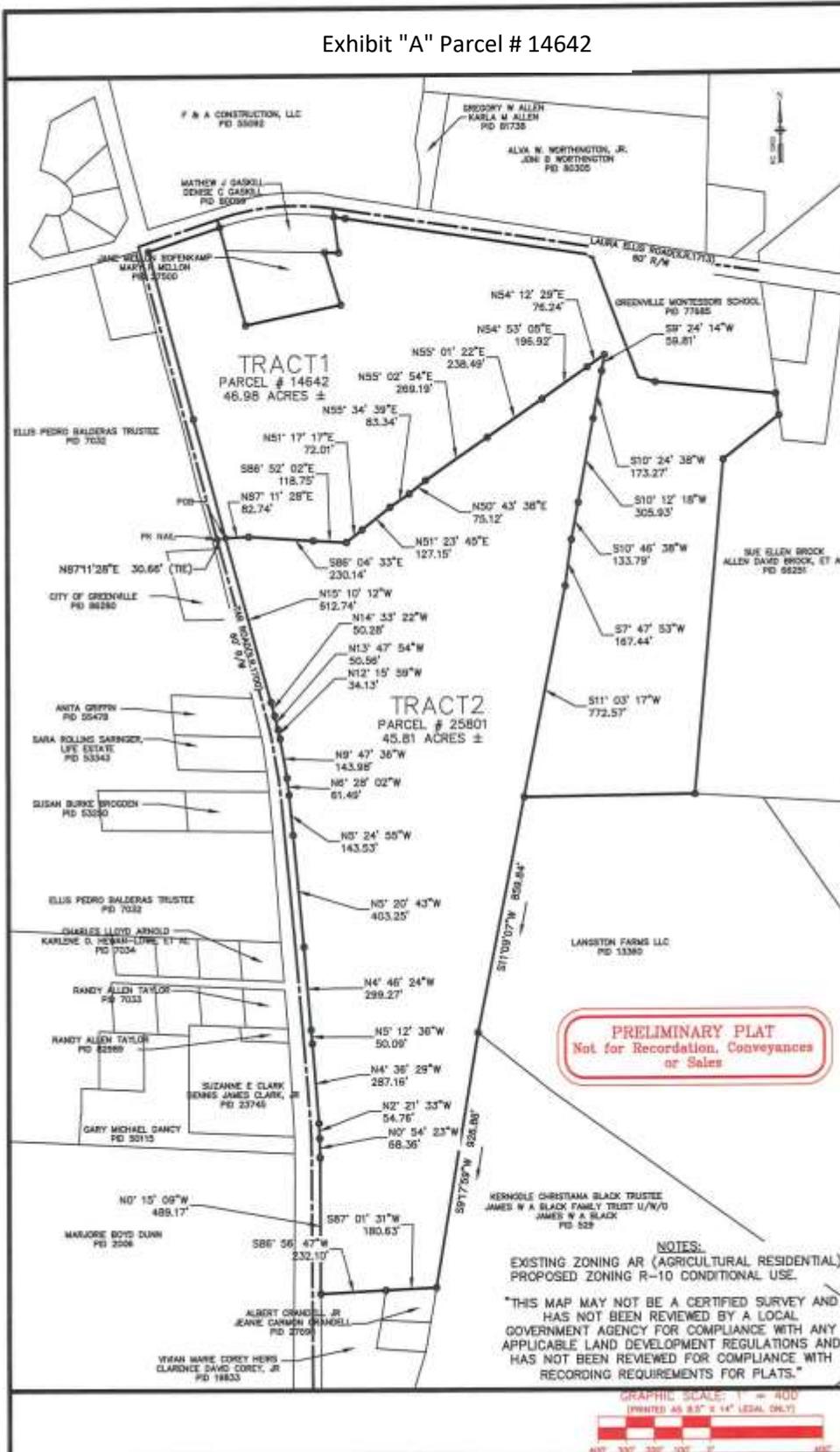
Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

DRAFT

Exhibit "A" Parcel # 14642





**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 10, 2025

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meetings listed below.

Prepared By: Donald Harvey, Town Clerk

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- ❖ January 13, 2025 Regular Meeting Minutes; and
- ❖ January 28, 2025 Vision Setting Meeting Part 1 Minutes; and
- ❖ February 4, 2025 Vision Setting Meeting Part 2 Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, JANUARY 13, 2025 – 6:00 PM
REGULAR MEETING MINUTES**

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Johnny Moye, Mayor Pro Tem
Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Interim Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Mayor Pro Tem Moye gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

ROLL CALL: All Present.

APPROVAL OF AGENDA:

Manager Parker noted the amended agenda.

Motion made by Councilwoman Harrell and seconded by Councilwoman Smith to approve the amended agenda. Motion carried unanimously, 5-0.

OATH OF OFFICE: Johnny Moye, Mayor Pro Tempore.

Mayor Pro Tempore, Johnny Moye: The Honorable Wendy S. Hazelton, District Court Judge swore in Johnny Moye as Mayor Pro Tempore, as he repeated the Oath of Office.

2571 Railroad Street
P.O. Box 145B
Winterville, NC 28590



Phone: (252)758-2221
www.wintervillenc.com

**NORTH CAROLINA
PITT COUNTY
TOWN OF WINTERVILLE**

OATH OF OFFICE

I, Johnny Moye, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Mayor Pro Tempore, so help me God.

Johnny Moye, Mayor Pro Tempore

The Honorable Wendy S. Hazelton
District Court Judge

January 13, 2025
Date

RECOGNITION OF NEW EMPLOYEES:

1. Justin Johnson - Firefighter; Fire•Rescue•EMS: Chief Moore introduced the newest member Fire•Rescue•EMS to the Department.
2. Amber Owens - Office Manager; Police Department: Chief Williams introduced the newest member Police Department

PROCLAMATIONS: Town Clerk Harvey read the following Proclamations.

1. Dr. Martin Luther King, Jr. Day.



PROCLAMATION
DR. MARTIN LUTHER KING, JR. DAY - January 20, 2025

WHEREAS, Dr. Martin Luther King, Jr. was a great moral leader who espoused peace and the brotherhood of man; and

WHEREAS, Dr. King advanced the cause of the attainment of social changes for all people and the establishment of "The Beloved Community" worldwide; and

WHEREAS, Dr. King admonished us to have faith, wisdom, and conviction that racial harmony can be achieved and left us a blueprint for harmonious relationships, let us, therefore, embrace his principles of love, peace, and non-violence as well as freedom and justice for all; and

WHEREAS, Dr. King's legacy to society is the leadership he provided by his commitment to justice, equality, and the elimination of racism through non-violent social change; and

WHEREAS, Dr. King epitomized the belief that all human beings are born free and equal in dignity and rights, endowed with reason and conscience to act towards one another in a spirit of harmony; and

WHEREAS, the observance of Dr. Martin Luther King Jr. Day offers an opportunity for individuals and communities to reflect on our shared history and to engage in actions that uphold the principles he championed;

WHEREAS, a law has established a national holiday to observe the anniversary of Dr. King's birth; and

WHEREAS, the State of North Carolina has established the third Monday in January as a legal holiday in honor of his birth;

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby proclaim January 20, 2025, as "**Dr. Martin Luther King, Jr. Day**" throughout the Town of Winterville. I urge all citizens to avail themselves of the splendid opportunity to remember and celebrate the life of Dr. King, whose struggle for civil rights and noble pursuit of equality for all Americans deserve our heartfelt appreciation.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 13th day of January 2025.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

2. Human Trafficking Prevention Month.



PROCLAMATION

HUMAN TRAFFICKING PREVENTION MONTH - JANUARY 2025

WHEREAS, human trafficking is a public health issue and crime that harms the health and well-being of individuals, families, and communities, often across generations; and

WHEREAS, nearly 25 years after the passing of the Trafficking Victims Protection Act, an estimated 27.6 million people are subjected to human trafficking globally, in every U.S. state and territory; and,

WHEREAS, human trafficking can happen to anyone, but certain populations are at greater risk, including people affected by abuse, violence, poverty, unstable living situations, or social disconnection; and

WHEREAS, human trafficking is connected to many other forms of violence and exploitation, and often shares common risk and protective factors—such as lack of resources and unsafe environments; and

WHEREAS, "Connecting the Dots. Strengthening Communities. Preventing Trafficking," underscores the need to understand how human trafficking relates to other forms of violence and how we can prevent it by strengthening protective factors at the individual, relational, community, and societal levels; and

WHEREAS, strengthening communities requires collective action to reduce the conditions that contribute to exploitation, build resilience, and create environments where people are protected from human trafficking and other forms of violence; and

WHEREAS, Center for Family Violence Prevention is committed to ensuring that those impacted by human trafficking receive services that are trauma-informed and responsive to their individual needs; and

WHEREAS, a successful response to human trafficking requires a coordinated, community-wide effort that includes collaboration across sectors and with those who have experienced human trafficking firsthand, to ensure that services and programs are effective and meet the needs of all survivors; and

WHEREAS, every individual, family, community, and organization can help raise awareness, prevent trafficking, and support survivors by learning how to act;

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville do hereby proclaim January 2025 as Human Trafficking Prevention Month, reaffirming our commitment to "Connecting the Dots.

Strengthening Communities. Preventing Trafficking," by increasing awareness, improving education on human trafficking, making resources available for individuals and communities impacted by human trafficking, and building diverse public-private partnerships to support a more coordinated, comprehensive response to prevent and combat human trafficking.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 13th day of January 2025.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

Alayna Boyer, PR & Marketing Manager, was present representing the Center for Family Violence Prevention.



JANUARY IS HUMAN TRAFFICKING AWARENESS & PREVENTION MONTH

 NORTH CAROLINA RANKS AMONG THE TOP 10 STATES IN THE NATION FOR HUMAN TRAFFICKING CASES

 THE TOP VENUE FOR SEX TRAFFICKING IN N.C. IS RESIDENCE-BASED COMMERCIAL SEX

 THE TOP INDUSTRY FOR LABOR TRAFFICKING IN N.C. IS RESTAURANT AND FOOD SERVICE

 WITHOUT THE DEMAND FOR COMMERCIAL SEX AND CHEAP LABOR, HUMAN TRAFFICKING WOULDN'T EXIST



PITT COUNTY COALITION AGAINST HUMAN TRAFFICKING (PCCAHT)
EVERY THIRD THURSDAY OF THE MONTH @ 9:30 A.M.
HEART FOR ENC TRAINING CENTER, 1412 S. EVANS STREET, GREENVILLE



EVENTS IN JANUARY

VIRTUAL SESSION: HUMAN TRAFFICKING 101
Jan. 8, 2 p.m.

VIRTUAL SESSION: TRATAS DE PERSONAS
Jan. 15, 2 p.m.

VIRTUAL SESSION: AN OVERVIEW OF THE ANTI-HUMAN TRAFFICKING MOVEMENT IN NORTH CAROLINA
Jan. 28, 2 p.m.

RIBBON COUNCIL NA & 15TH ANNIVERSARY CELEBRATION FOR NC STOP HUMAN TRAFFICKING
Jan. 29, 11 a.m.
1410 Evans Street, Suite 1, Greenville

LUNCH & LEARN:
JOINING HANDS TO FIGHT HUMAN TRAFFICKING
Jan. 30, 11 a.m. to 1 p.m.
History Museum of Carteret County
1008 Arendell Street, Morehead City



To register, visit <https://encstophumantrafficking.org/learning-opportunities/>

IF YOU OR SOMEONE YOU KNOW NEEDS HELP CALL THE NATIONAL HUMAN TRAFFICKING HOTLINE @

1-888-3737-888

PUBLIC HEARINGS:

1. Hunsucker Rezoning - Planning and Economic Development Director Penn presented the request with the following presentation:

Town of
WINTERVILLE
A slice of the good life!

TC January 13, 2025

**REZONING REQUEST
"Hunsucker Rezoning"
PARCEL 11644**

Presenter:
Stephen Penn,
Director of Planning & Economic Development

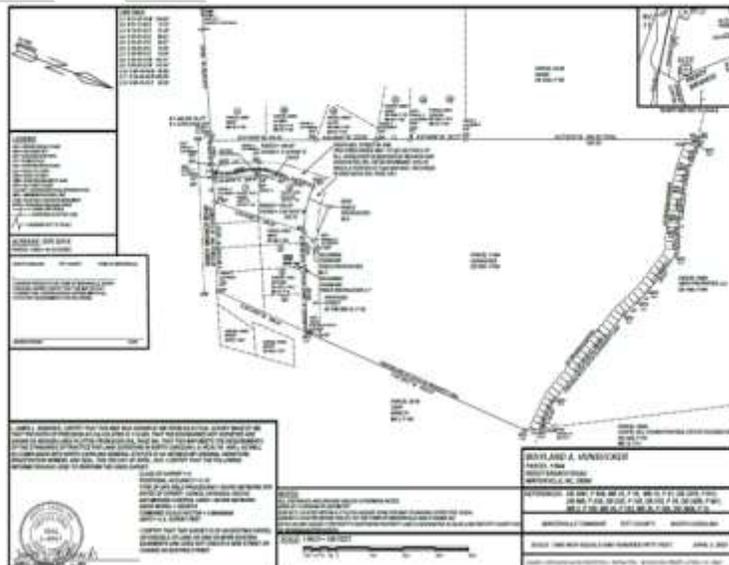
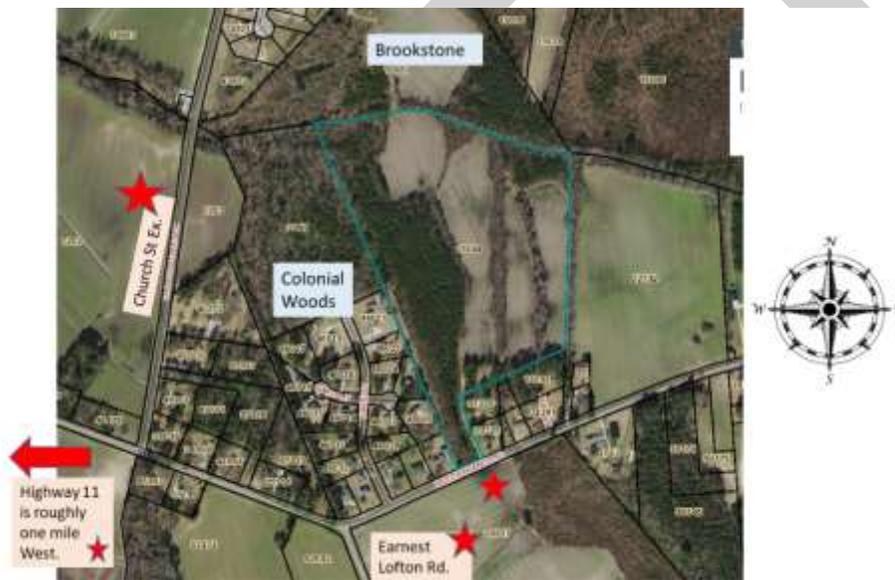


Town of
WINTERVILLE
A slice of the good life!

Rezoning Request – Hunsucker

- Applicant: Linwood Stroud & Matthew Hunsucker
- Location: Reedy Branch Road,
 - East Side of HW 11.
 - ~750' east of Earnest Lofton Road.
- Parcel Numbers: 11644
- Site Data: 41.33 acres
- Current Zoning District: Agricultural Residential (AR)
- Requested Zoning District: R-10 Conditional District
 - Condition: 10% will remain Open Space.

- Notification was posted at the site on November 6, 2024.
- Adjacent property owners (and those within 100') were mailed notification of the rezoning request on December 31, 2024 to notify them of the Public Hearing.
- Daily Reflector notices published to meet state statute.



FUTURE LAND USE CHARACTER AREAS



- Conservation**
The 100-year floodplain is regulated in order to prevent loss during floods. These areas are appropriate for outdoor recreation, agriculture / silviculture, and are otherwise predominantly unsuitable for development. This area also includes cemeteries.
- Rural Residential**
Very low density, single family detached residential on very large lots in a rural setting. Generally less than 1 dwelling per acre, and almost always without sewer service. Industrial agricultural operations are still active in these locations.
- Suburban Residential**
Primarily the large lot, single family detached residential that many people love about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front and side-loaded garages. Smaller lot sizes occasionally if minimum standards for open space and amenities are exceeded.
- Urban Neighborhood**
Primarily medium-sized lots with single family detached residential and occasionally smaller-scale, context-sensitive public homes and attached residential permitted if design criteria are met. Generally 3-6 dwellings per acre. Some small-scale services, restaurants, or offices encouraged at select locations with good access.
- Commercial Overlay**
Potential for small-scale commercial that is sensitive to existing residential development if good transportation access is possible.

- Neighborhood Center**
Context-appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and crossroads that serve the general neighborhood around them. Small lot residential or patio homes (and/or attached residential) could be part of land use mix.
- Mixed Use Center**
Mix of commercial, retail, restaurants, and service-oriented businesses, with a variety of residential options, including multi-family, townhomes, and upper-story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused "downtown" feel.
- Regional Center**
High- to medium-intensity commercial, retail and lodging uses that act as regional activity centers, with offices and residential potentially mixed in. Primarily auto-oriented destinations with national or regional businesses.
- Employment / Residential**
These areas could include office buildings, storage and flex uses, supporting commercial uses and/or medium to high-intensity residential uses.
- Office & Employment**
Large office buildings, manufacturing, distribution, and high- to medium-industrial uses, storage and flex uses, along with associated offices and supporting commercial uses.
- Institution or Park**
Community schools, the Pied Community College campus, town parks, and open space areas form a fabric that lends the community together. New institutional, civic, and open space uses are potentially allowed in any future land use category.

FUTURE LAND USE CHARACTER AREA



General Character
Large lot, low density single family residential was identified by the community as a land use type that was appropriate and valued in many locations. This flexible land use type is appropriate for many areas of the planning area and will likely be served by town utilities.

Uses
Primarily single family detached residential with sewer service.

Buildings & Parking
Buildings are usually set back from the road and have large front and rear yards. Parking should be off street as much as possible, especially since sidewalks are limited.

Streets & Connections
These neighborhoods have low to medium walkability and are fairly homogeneous. Street connections to adjacent neighborhoods is key to creating a community and preserving options for the future. Sidewalks connect neighbors, and landscaping is primarily owner-maintained.



With 10% being open space, comes to 3.9 units/acre (five streets and stormwater facilities - would be best). Better than Preliminary Plan.

Typical Components	
Density	1-3 per acre
Lot coverage	Low
Building height	1-2 stories
Parking	Off-street; front, side, or rear
Street pattern	Suburban grid, modified grid
Right-of-way width	50'-60'
Block length	600'-1000'
Drainage	Curb-and-gutter
Bicycle/Pedestrian	Sidewalk (one side)
Open Space	10-30%, including passive recreation, trails, playgrounds, amenity centers, fields, greens
Potential zoning	Typically R-20, R-15 or R-12.5, R10 or R8 if additional open space or amenities are provided



Examples of Suburban Residential

Suburban Residential

Adapted: 10/14/2019

Land Use & Character | 47

Winterville's Land Use Goals:

Economic Development

Organizing Goals:

Primary Goals:	Supporting Goals:
<ul style="list-style-type: none"> • Strengthen and Diversify the Economy • Create a town-wide identity 	<ul style="list-style-type: none"> • Activate Downtown

- Policies and Strategies**
- Policy 1:** Continue to implement previous plans.
- Strategies**
- 1.1: Continue to implement relevant recommendations from the adopted economic development plan.
 - Update the Economic Development Strategy periodically (typically every 5-6 years)
 - 1.2: Continue to market the assets and opportunities of Winterville as stated in the adopted economic development plan.
 - 1.3: Emphasize retail, office, light industrial and other commercial development

- especially along Winterville Parkway and other appropriate areas.
- Policy 2:** Improve self-sufficiency and reduce retail leakage.
- Strategies**
- 2.1: Support Winterville's transformation from a 'bedroom community' to a 'neighboring community' of Greenville.
 - The Economic Development Task Force recommended that Winterville grow into its own vibrant community with its own commercial and employment sectors. This will help the town become a self-sufficient community that recaptures retail leakage from nearby Greenville.
 - 2.2: Discourage rezonings to residential zoning districts in high visibility corners with good access and parcels within Office & Employment future land use areas.
- Policy 3:** Reinforce the Town's identity as a family-friendly community.
- Strategies**
- 3.1: Support rezonings to residential uses in the Suburban Residential and Urban Neighborhood areas identified on the future land use map.
 - 3.2: Continue to support and promote



The majority of Winterville's residential growth has been and will likely be in the form of single family detached residential subdivisions.



Encouraging commercial development on sites with good transportation access will help balance the tax base and create a more self-sufficient community.

Adapted: 10/14/2019

Recommendations & Implementation | 48

Public Comments:

Concerns:

1. Received Phone Call on 11.20.24 from an individual living on Reedy Branch Road- expressing traffic concerns for additional growth in that area.

@ P&Z Public Comments:

- Two spoke against, main concerns of:
 - Sizes of lots.
 - Drainage Concerns.

Support:

1. Received Letters of Support from four individuals (provided to each Council Member at the seat).
 - Overall theme of the letters is the support of more homes and opportunities within the southern portion of Winterville.

Staff Evaluation:

The 41.33-acre property is currently vacant and farmed land. The surrounding uses are dominated by single-family detached homes, upcoming single-family neighborhood subdivisions, and agricultural/vacant land. The Comprehensive Land Use Plan designates this area as "Suburban Residential Character Area" and supports an R-10 Rezoning with the condition that a minimum of 10% of the land is to remain "open space".

Staff & P&Z Recommendation:

- P&Z recommended approval of the request at their November 2024 Meeting. (5-1)
 - Their Vote of Consistency and Reasonableness in packet in front of you.
- The request is consistent with the intent and purpose of the Comprehensive Land Use Plan & the Future Land Use Map, and is compatible with the existing development and trends in the surrounding area.
- Staff recommends approval of the request to rezone the 41.33 acre-site from A-R to R-10 CD in which 10% of the site must remain open-space.



Mayor Hines asked if Colonial Woods was in the ETJ. Planning and Economic Development Director Penn responded yes. Councilwoman Roberson asked who will maintain the open space. Planning and Economic Development Director Penn said the HOA and more details will be presented at plat stage.



Matt Hunsucker, Applicant, Hunsucker Rezoning gave the following presentation.

Why R-10 with 10% open area?

- Consistent with the Comprehensive Land Use Plan
- Recommended by town staff
- Strong support by Planning and Zoning Board
- Step-down density from Southbrook (R-8 and R-6 PUD)
- Provide attainable housing stock for teachers, law enforcement, fire fighters, and young families
- Cohesive with the surrounding zonings that range from R-6 to agricultural
- 10% open area (4+ acres) preserves natural character

10% Open Space – over 4 acres



Community Outreach

- Wrote all adjacent landowners (copy provided)
- Called each adjacent landowner to discuss
- Received many letters of support from neighbors
- Neighbors shared feedback, which we will address here

Feedback and Action Steps

Buffered Yards

Same uses adjoining do not require a buffer per Winterville building ordinance, but our 10% open area allows flexibility to maintain a natural setting.

Traffic

When the area is developed, NCDOT may require a traffic study and depending on the findings, require traffic calming measures.

Drainage

Our development will be required to contain all water run-off within our property lines via a stormwater retention pond.

The Colonial Woods covenants require homeowners to maintain ditches and pay for their own drainage issues. Their community falls under Pitt County's drainage oversight, and we have shared contact information to assist them.

Colonial Woods Covenants: Underground Drainage

16. Underground Drainage. The owners of lots 1,2,3,4,5 in COLONIAL WOODS SECTION I and lots 6,7,8,9,11,12,13,14, 16,17,18,19,20, 21,22 in COLONIAL WOODS SECTION II as shown on the maps of those lots shall be responsible for the maintenance of the underground tile drainage installed along the lot lines of each lot for the purpose of assisting in the drainage of the lots and the more efficient operation of the septic tanks on the lots. The owners of said lot shall share a prorata cost of maintenance, ~~repair, cleaning or other similar costs incurred to facilitate the~~ operation of said underground drainage. If any lot owner fails to contribute his prorata share of the maintenance of said underground drainage lines, then and in that event any other owner required to pay a prorata share may pay the full share and the amount in excess of that paying owners prorata share shall constitute a lien upon the non-paying owners property and may be enforced in equity as in the case of any liens foreclosure.

Colonial Woods Covenants – Drainage Ditch:

17. Drainage Ditch Assessments. All lots in the subdivision shall bear the prorata cost of the maintenance of the easement for drainage as set out in that deed of easement and maintenance agreement dated the 1st day of June, 1987 and recorded in Book 47, Page 484, of the Pitt County Public Registry. Each lot in the subdivision shall pay its prorata percentage of the cost of the maintenance of the ditch. Upon the Pitt County Health Department, U. S. Soil Conservation Service, or other appropriate governmental or regulatory agency requiring the ~~drainage easement to be cleaned, same shall be cleaned and the~~ costs and expenses of cleaning of same shall be borne prorata by all of the lot owners in the subdivision based upon the total number of lots in the subdivision. In order to carry out and administer the provisions of this paragraph, each and every lot owner in accepting a deed or contract for any lot in the subdivision agrees to and shall be a member of and be subject to the authority of a Homeowners Association. Each lot owner shall be ~~subject to the~~ ~~assessments~~ ~~and~~ ~~in~~ ~~the~~ ~~case~~ ~~where~~ ~~a~~ ~~lot~~ ~~is~~ ~~owned~~ ~~by~~

Thank You for Your Support

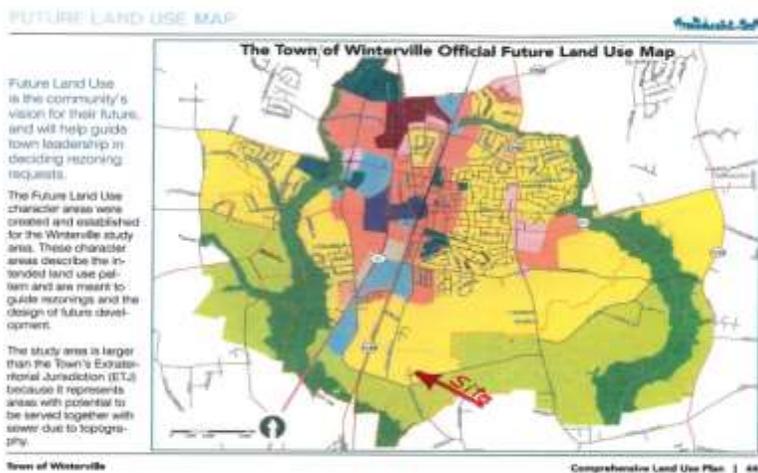
We aim to provide a thoughtfully-developed community in South Winterville.

We will collaborate with our neighbors to understand their needs.

We appreciate the support of town staff, the planning and zoning board, and our neighbors through this process.

Mayor Hines declared the public hearing open, asked if anyone would like to speak in opposition of the rezoning request.

Clifton Cahoon of Colonial Woods off of Reedy Branch Road he gave the following presentation noting the that minimal size lots and intent is too non-characteristic asked that Council respectively deny.



FUTURE LAND USE CHARACTER AREAS



General Character

Large lot, low density single family residential was identified by the community as a land use type that was appropriate and valued in many locations. This flexible land use type is appropriate for many areas of the planning area and will likely be served by town utilities.

Uses

Primarily single family detached residential with sewer service.

Buildings & Parking

Buildings are usually set back from the road and have large front and rear yards. Parking should be off street as much as possible, especially since sidewalks are limited.

Streets & Connections

These neighborhoods have low to medium walkability and are fairly homogeneous. Street connections to adjacent neighborhoods is key to creating a community and preserving options for the future. Sidewalks connect neighbors, and landscaping is primarily low-maintenance.



Examples of Suburban Residential

Suburban Residential

Typical Components	
Density	1-3 per acre
Lot coverage	Low
Building height	1-2 stories
Parking	Off-street front, side, or rear
Street pattern	Suburban grid, modified grid
Right-of-way width	50-60
Block length	600-1000
Drainage	Curb and gutter
Bicycle/Pedestrian	Sidewalk (one side)
Open Space	10-30%, including passive recreation, trails, playgrounds, <u>generally capped fields, greens, typically R-20, R-15 or R-12 S.</u> <u>Amount of non-paved open space or amenities are provided.</u>
Potential zoning	

Adopted: 10/14/2019

Land Use & Character | 47

FUTURE LAND USE CHARACTER AREAS



Conservation

The 100-year floodplain is regulated in order to prevent loss during floods. These areas are appropriate for outdoor recreation, agriculture / silviculture, and are otherwise predominantly unsuitable for development. This area also includes wetlands.



Rural Residential

Very low density, large lots, detached residential appropriate for a rural setting, generally less than 1 dwelling per acre, and almost always without sewer service. In rural agricultural operations are still active in these locations.

Suburban Residential

Primarily the large lot, single family detached residential, the many people love about the town's housing stock. Generally 2-4 dwelling units per acre, larger lots, with front- and side-loaded garages. Smaller lot sizes occasionally if minimum standards for open space and amenities are exceeded.

Urban Neighborhood

Primarily medium-sized lots with single family detached residential and occasionally smaller-scale, context-sensitive patio-homes and attached residential permitted if design criteria are met. Generally 3-8 dwellings per acre. Some small-scale services, restaurants, or offices encouraged at select locations with good access.

Commercial Overlay

Potential for small-scale commercial that is sensitive to existing residential development if good transportation access is possible.

Neighborhood Center

Context-appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and corridors that serve the general neighborhood around them. Small-lot residential or patio homes and/or attached residential could be part of land use mix.

Mixed Use Center

Mix of commercial, retail, restaurants, and service-oriented businesses, with a variety of residential options, including multi-family, townhomes, and upper-story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused "downtown" feel.

Regional Center

High- to medium-intensity commercial, retail and lodging uses that act as regional activity centers, with offices and residential potentially mixed in. Primarily auto-oriented destinations with national or regional businesses.

Employment / Residential

Supporting commercial uses and/or medium to high-intensity residential uses.

Office & Employment

Large office buildings, manufacturing, distribution, and light to medium-industrial uses, storage and flex uses, along with associated office and supporting commercial uses.

Institution or Park

Community schools, the Pitt Community College campus, town parks, and open space areas form a fabric that knits the community together. New institutional, civic, and open space uses are generally allowed in any future land use category.

Adopted: 10/14/2019

Land Use & Character | 48







Coy Buck of Colonial Woods suggested R-20. David Lee of Colonial Woods asked Council to deny the request, consider larger lot size; lots are under sized, and traffic will be a problem. Michael Gibbs of Colonial Woods said does not like the congestion.

Mayor Hines asked if anyone would like to speak in favor of the rezoning request.

Linwood Stroud said Colonial Woods was developed in the 1980's and no public sewer was available. Matthew Hunsucker spoke clarifying a comment concerning his house size.

Hearing no additional comments, Mayor Hines declared the public hearing closed.

Town of WINTERVILLE
A slice of the good life!

Hunsucker- Rezoning Request

- Motion Approving rezoning:
 - Approve rezoning as it is "Consistent with the Winterville Comprehensive Plan, is reasonable, and in the public's interest."
- Motion Denying Rezoning:
 - Deny the Rezoning "After consideration of the Comprehensive Land Use Plan and other factors, this proposal is found to be unreasonable": Explain why:
 - Possible Reasons (among other factors):
 - (1)The size, physical conditions, and other attributes of any areas proposed to be rezoned;
 - (2)The benefits and detriments to the landowners, the neighbors, and the surrounding community;
 - (3)The relationship between the current actual and permissible development and the development under the proposed amendment;
 - (4)Why the action taken is in the public interest; and
 - (5)Any changed conditions warranting the amendment. (NC GS 160D-605)

Mayor Hines asked for any further discussion or any more questions. Hearing none what is Council's pleasure.

Motion made by Councilwoman Hawkins and seconded by Councilwoman Harrell to deny the After consideration of the Comprehensive Land Use Plan and other factors, the Hunsucker Rezoning request is found to be unreasonable.

Councilwoman Harrell asked if any negotiation that could be worked out.

Motion carried unanimously, 5-0.

Councilwoman Roberson asked the parties get together and work something out.

PUBLIC COMMENT: Mayor Hines read the Public Comment Policy.

1. Rebecca Caveness with the Chamber of Commerce noted what the Chamber does for they the Town and Community. She said they work with Town Departments.
2. Rashana Carmon asked for an update on the Town Charter and Town Policies.
3. Ross Peterson spoke about Town Services specifically recycling issues.
4. Mat de Jesus Spoke on the Christmas Lighting, Voting, Strong voice, Black History Program, and Traffic Light. Councilwoman Roberson reminded everyone of the Black History Month Program in February, the last Sunday sponsored by the Winterville Historical and Arts Society.
5. Sharon Evans spoke on the Community, fostering collaboration, and transparent government moving forward.

CONSENT AGENDA:

Items included in the Consent Agenda:

1. Budget Amendment 2024-2025-5.
2. Reimbursement Resolution 25-R-011.
3. Copper Creek Annexation – Schedule Public Hearing.
4. Fee Schedule Update.

Motion made by Councilwoman Roberson and seconded by Councilwoman Smith to approve the consent agenda. Motion carried unanimously, 5-0.

OLD BUSINESS: None

NEW BUSINESS:

1. 2025-2026 Biennium Legislative Goals Voting Process.

Town Clerk Harvey noted that Town Council needs to select the voting delegate for the 2025-2026 Biennium Legislative Goals.

Motion made by Mayor Pro Tem Moye and seconded by Councilwoman Harrell nominating Mayor Hines as the Town Voting Delegate. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS:

1. Intersection at Mill Street/Boyd Street - Ongoing Update. (Councilwoman Hawkins).

Assistant Town Manager Bowers outlined the numerous inquiries:

1. Leave as is.
2. Flashing on Boyd Street stop sign.
3. Town take over Mill Street and Boyd Street (Stop Light/Signalized).
4. All-way stop.

Motion made by Councilwoman Hawkins and seconded by Councilwoman Roberson to approve an all-way stop sign at Mill Street and Boyd Street and a new associated resolution. Motion carried unanimously, 5-0.

2. Town Council Policies; Availability for Public Review. (Councilwoman Hawkins)

Councilwoman Hawkins asked Council work to change discrepancies. Councilwoman Smith noted the action last month was in line with the charter. Town Manager Parker reiterated that is was in line with Policy. Councilwoman Harrell actions for selecting Mayor Pro Tem was not all over the place. Mayor Pro Tem can be challenged. Making sure that all are in alignment. Councilwoman Roberson charter and policy are not in alignment. Town Attorney Lassiter said charter and statues are consistent, but policies and procedures are off. Councilwoman Harrell said policies and procedures are in place that we can follow with conversation into action. Town Manager Parker said Staff will look at ordinances, and other guidance's. Councilwoman Hawkins said there are some major conflicts. Town Attorney Lassiter said some references are outdated. Town Manager Parker said Staff will bring back policies in 3 months (May 12), contact for bid, time frame for ordinances. Councilwoman Hawkins said stay on timeline,

3. Terms of Service; Town Council, Mayor Pro Tem, and Mayor). (Councilwoman Hawkins).

Councilwoman Hawkins asked about Council terms of services on limits. Town Attorney Lassiter said there are no limit on terms, except where the constitution sets. Mayor Hines recommended Council attend Essential Classes.

4. Community Roundtable; Updates/Tentative Dates. (Councilwoman Hawkins).

Councilwoman Hawkins asked about setting a Black History Month Program prior setting at PCC. Councilwoman Roberson noted the South Central community listening sessions. Councilwoman Hawkins said she is hearing from citizens, what the people need.

5. Winterville Small Business; Town Hall in 2025. (Councilwoman Hawkins).

Councilwoman Hawkins asked to revisit this session to bring to people. Councilwoman Roberson asked who would drive this session. Councilwoman Hawkins said that could be WHRB.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

Town Manager Parker noted the following:

1. List of needs, send out to Council.
2. NCLM Risk Assessment.

REPORTS FROM DEPARTMENT HEADS:

Planning and Economic Development Director Planning and Economic Development Director Penn: Has seen significant growth, has many submittals, and no use for the vacant Babcock building at this time.

Building Inspector/Code Enforcement Officer Johnston: On-going progress both commercial and residential.

Public Works Director McGuffin: Chapman Street sewer pump station, have a full-time stormwater crew, and Stormwater Advisory Board has kicked -off.

Assistant Town Manager Assistant Town Manager Bowers: Closed on property adjacent to Operation Center, working on other properties and studies, working through approval processes, and South Central cross walk.

Interim Electric Director Mills: New Christmas lights, flag banners this year, Meter Tech for energy audits.

Finance Director Manning: New budget, vision setting upcoming, and Greene Lamp applications available.

Parks and Recreation Director White: Major December items included Letters to Santa; Christmas Parade, Tree Lighting Ceremony, and Senior's Trip to Smithfield. Gearing up for Spring Baseball. Councilwoman Hawkins asked questions on timeline for Multi-purpose Building.

Human Resource Director Fuller: United Way campaign we did a silent auction at our Christmas dinner and raised \$315 in funds that helped us reach our goal of \$2,500 total; The Classification and Pay study by Erika Phillips with the Maps Group will be here January 16th and 17th for Employee orientation meetings with all full-time employees. Have posted Electrician/Instrumentation Technician position with closing date of January 31st. will start the process for the full-time Fire Engineer position, we have 4 candidates scheduled for January 6th – 7th -8th, they will do a written test, and physical. New Hires: Police- Office Manager - Amber Owens started December 30th, and PT Facility Maintenance Tech.- John Truselo - Started January 13th.

Police Chief Williams: Continue partnership with Parks and Recreation, Cops on a Roof met goal, Shop with a Cop, Coffee with a Cop, and Senior Program.

Fire Chief Moore: had to step out on a call.

ANNOUNCEMENTS: Town Clerk Harvey gave the following announcements:

- Coffee with a Cop: Friday, January 17, 2025; 9:00 am - 10:30 am – Cooper's Cup.
- Martin Luther King Day – Town Offices Closed: Monday, January 20, 2025.
- Stormwater Advisory Board: Tuesday, January 21, 2025 @ 6:00 pm – Operation Center.
- Planning and Zoning Board Meeting: Tuesday, January 21, 2025 @ 7:00 pm - Town Hall Assembly Room.
- Board of Adjustment Meeting: Tuesday, January 21, 2025 @ immediately following Planning and Zoning Board - Town Hall Assembly Room.
- Human Relations Board Meeting: Thursday, January 23, 2025 @ 7:00 – Town Hall Executive Conference Room.
- Recreation Advisory Board: Tuesday, January 28, 2025 @ 6:30 pm – Operation Center - Cancelled
- Vision Setting Meeting – Part 1: Tuesday, January 28, 2025 @ 5:30 pm - Town Hall Assembly Room.
- February Agenda Abstracts Due: Thursday, January 29, 2025.
- Vision Setting Meeting – Part 2: Tuesday, February 4, 2025 @ 5:30 pm - Town Hall Assembly Room.
- Agenda Review Meeting: Thursday, February 6, 2025 @4:00 pm – Town Hall Executive Conference Room.
- March 2025 Newsletter Information Due: Friday, February 7, 2025.
- Regular Town Council Meeting: Monday, February 10, 2025 @ 6:00 pm - Town Hall Assembly Room.

REPORTS FROM THE TOWN ATTORNEY, MAYOR, AND TOWN COUNCIL, AND TOWN MANAGER:

Town Attorney Lassiter: Closing held.

Councilwoman Hawkins: Asked for a moment of silence for those in need. Thanks to Chief Moore for conversation, prepared for all. Public comment not same for public hearing. Shared a focus on a family member, concerning police practices.

Councilwoman Harrell3-Thank you to staff and Council. Working with BC/BS to bring a program on social drivers. Access to programs that will help- citizens

Mayor Pro Tem Moye: Happy New Year, looking forward to a better year, let us strive to improve. All try to attend Agenda Review meetings.

Councilwoman Roberson: Asked Council to take a break after 2 hours. Asked for update on Cemetery and Urgent Repair Program. Try to attend the Digital Program.

Councilwoman Smith: Compliments on Christmas lights and programs. Appreciates all of staff.

Town Manager Parker: Updated Cemetery; getting prices for road and other requirements. Urgent Repair working on the new document.

Mayor Hines: Asked Council to sign audit papers before they leave tonight. Looking forward to working with Council in the upcoming year. Winterville Magazine, we are going to work together.

ADJOURN:

Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Moye to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 9:02 pm.

Adopted this the 10th day of March 2025.

Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**WINTERVILLE TOWN COUNCIL
TUESDAY, JANUARY 28, 2025 – 5:30 PM
VISION SETTING AGENDA PART 1**

The Winterville Town Council met in Vision Setting Meeting Part 1 on the above date at 5:30 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Johnny Moyer, Mayor Pro Tem
Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Interim Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Councilwoman, Roberson gave the Invocation and Blessing.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

ROLL CALL: Mayor Hines, Councilwoman Hawkins, Councilwoman Roberson, and Councilwoman Smith were present at roll call.

APPROVAL OF AGENDA:

Motion made by Councilwoman Roberson and seconded by Councilwoman Smith to approve the agenda. Motion carried unanimously, 3-0.

Mayor Pro Tem Moyer arrived at 5:37 pm.
Councilwoman Harrell arrived at 5:38 pm.

SUBORDINATION AGREEMENT – CHRIST COVENANT CHURCH.

Town Attorn Lassiter explained the Subordination to new loan. Paragraph 2 Sub Section A. Christ Covenant School is building an expansion to the School and will be executing a new loan to facilitate the construction. The Council will need to approve the Subordination of the Loan that the Town has with Christ Covenant so that they can move forward with their new loan. The loan will be subordinated to First Bank.

Mayor Hines noted that if we do not subordinate, they would pay off in August. Town Attorney Lassiter said yes Town is down to last payment due. Councilwoman Roberson said the Town make clear we want our final payment. Town Attorney Lassiter said the language for Town to be paid will be added.

COUNCIL VISION SETTING PROCESS AND DISCUSSION.

1. Rebecca Caveness, Executive Director, Winterville Chamber of Commerce and Terri L. Parker, Town Manager.

The Winterville Chamber of Commerce is opening a Visitor EBusiness Hub to showcase the potential of our community while fostering entrepreneurial growth. This unique space will serve two primary purposes: it will welcome visitors, providing them with information about Winterville's attractions and opportunities, and it will act as a center for entrepreneurial advancement.

The Hub will feature a coworking and incubation center alongside affordable subletted office spaces designed specifically for small business owners who aren't ready for the commitment of a large retail space, or have minimal needs for office space. Entrepreneurs who utilize the coworking space-available through Chamber membership or on a rental basis-will benefit from monthly educational events. These events, supported by Pitt Community College's Small Business Center, will offer valuable resources to help local entrepreneurs grow their businesses and achieve their goals. Both Chamber Members and renters of the space have the option to rent out the adjacent conference room for one-time or recurring events as well.

By investing in this initiative, you will be supporting a project that drives local economic growth, fosters innovation, and highlights the unique opportunities Winterville has to offer.

Key points:

- The Winterville Chamber has a need for a more approachable space
- The Town of Winterville has a need for a visitor space (a place to get maps, Winterville magazine, tourism tips, learn about the area, etc.)
- Area businesses are in need of meeting space, coworking space, and a sense of community
- Greenville currently has at least two coworking spaces
- Farmville currently has at least one coworking space
- Ayden, Farmville, Washington, and Wilson all have combined Chamber of Commerce facilities with their visitor center
- By partnering together, we can: more affordably achieve these goals; draw better attention to the growth of Winterville; and have a hand in how this area of Winterville is being shaped

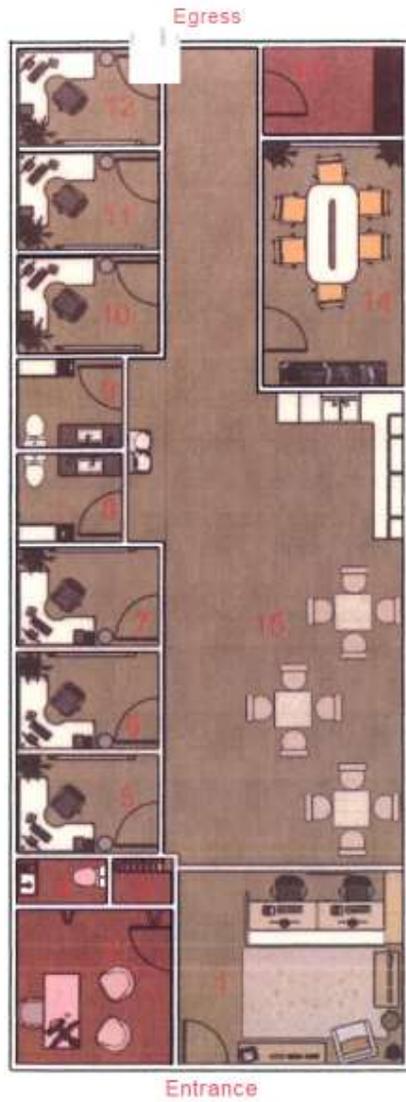
Project Costing: Winterville Visitor & Business Hub

Recurring Costs		
	Monthly	Yearly Total
Rent (\$25/sqft x 1800sqft)	\$3,750	\$45,000
Utilities (Water, Power, Sewer, Internet)	\$250	\$3,000
Cleaning & Maintenance	\$200	\$2,400
Security System	\$720	\$8,640
Total	\$4,920	\$59,040

Upfront Costs		
	Minimum	Maximum
Furnishing	\$10,000	\$25,000
Signage	\$2,000	\$4,000
Marketing Materials	\$1,000	\$3,000
Security Upfitting	\$3,000	\$4,000
Building Upfitting	\$50,000	\$100,000
Total	\$66,000	\$136,000

0.0 = R2.12.1.1a

Subletting				
	Monthly Min	Monthly Max	Yearly Min	Yearly Max
Office Space (@ Available x \$350/mo)	\$350	\$2,100	\$4,200	\$25,200
Incubation/Coworking Space (@ \$100/mo)	\$100	\$1,000	\$1,200	\$12,000
Conference Room (\$50/h)	\$250	\$1,500	\$3,000	\$18,000
Members \$50 discount				
Total	\$700	\$4,600	\$8,400	\$55,200



Key Legend

- 1- Welcome Desk
- 2- Director Office
- 3 - Closet
- 4 - Powder Room
- 5 - Office
- 6 - Office
- 7 - Office
- 8 - Bathroom
- 9 - Bathroom
- 10 - Office
- 11 - Office
- 12 - Office
- 13 - Storage
- 14 - Conference Room
- 15 - Break/Seating Area



Public
Private

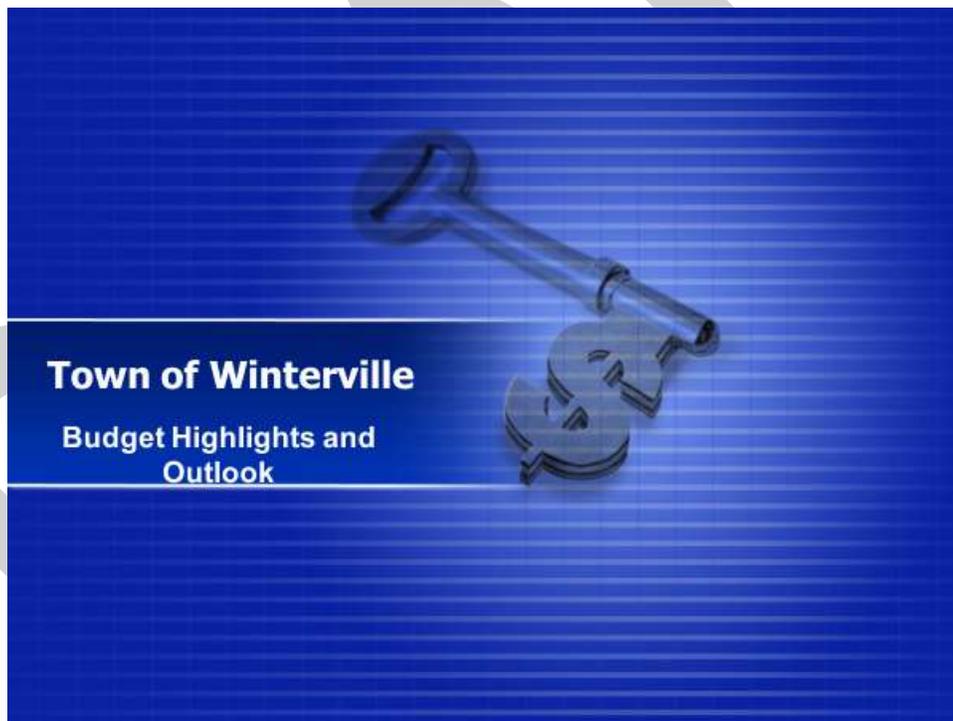
Town Manager Parker noted there have been conversation for a partnership with Chamber. Rebecca Caveness, Executive Director, Winterville Chamber of Commerce distributed the above handout. The Visitor Center, co-working space, and office located in former Vernon White property. Other local governments do this kind of item. Chamber would enter into an agreement with Town. Town Manager Parker noted that a high percentage of members are homebased. Executive Director of Chamber Caveness said they have a membership of around 130 with approximately 25% homebased. Town Manager Parker related staff and others located in a variety of locations. Executive Director of Chamber Caveness said the Vernon White property owner is willing to upfit for our needs and that the opportunity is good with them. Town Manager Parker said it is important to loop Council into this item. Councilwoman Smith noted this is worth following up. Mayor Hines noted the questions on space, opportunities for space, and partnership with others. Town Manager Parker said this is an opportunity to work with Small Business groups. Executive Director of Chamber Caveness said the Small Business Center, Incubation spaces have funding available. Councilwoman Roberson asked what is planned in this location. Executive Director of Chamber Caveness said a variety of items and we can get in on the ground floor. Town Manager Parker said the owner is starting to work.

Councilwoman Smith asked about moving Chamber out of NTA process. Councilwoman Roberson noted the Radio station cannot move out of Greenville. Councilwoman Hawkins asked can we locate in Multi-Purpose center? Discus this as an option. Town Manager Parker said final plans will come at February meeting and we will receive materials at that time; this can be on the table. Councilwoman Hawkins said other local communities have them, but they came after a multi-purpose center. Town Manager Parker said tonight, is for concept purposes. Mayor Pro Tem Moye said we have plan and vision for multi-purpose center, we have ownership, not rental, location is prime and many nearby; conversation is now, we need to look into. Councilwoman Harrell said look forward to the concept moving forward.

Mayor Hines said during dinner, think about the vision of where we will be in the next 2 years, then next 5 to 7 years. Have visions and partnerships. Has not been 19 years, we now have land so we can bring to totality. Councilwoman Hawkins said last year it was said it had been 18 years, I speak to this, do not want to end conversation in error, how can this be integrated. Councilwoman Roberson said part of comprehensive plan is that long. Town Manager Parker noted has been called many things through the years. Assistant Town Manager Bowers said in plans for many years and efforts, more recent has picked up speed and has been up and down for years. Town Manager Parker during time more uses added. Mayor Hines said started as a gym, additional uses added, and changed to multi-purpose.

BREAK FOR DINNER

2. Jessica Manning, Finance Director – 2024-2025 Budget Update. Budget Highlights and Outlook Presentation.



FY 2024-2025 Revenues

- General Fund
- Recreation Fund
- Electric Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

General Fund

- Revenues are on target for the current Fiscal Year.
- As of the end of January we will have completed 58% percent of the year.
- Revenues are currently at 64% of the total revenue budget.
- With budgeted inter-fund transfers accounting for 10.5% of the General Fund Revenues.
- Property Tax revenue is at 99.5% of the Budget.

General Fund

- Vehicle Property Tax is currently on target for what is expected for this time of the year. We are averaging about \$68,500, monthly, which is slightly up from last year.
- Local Option Sales Tax is currently 48% of the estimated Budget.
- Utility Franchise Taxes are on target with relation to budget estimates.
- GF is balanced with a \$386,483 Fund Balance appropriation. Down by \$226,489 from the PY.
- Balanced with Electric Fund contribution of \$350,000

Recreation Fund

- There is \$139,369 used from Retained Earnings to balance the Recreation Fund Budget.
- The Recreation Fund has collected 82% of budgeted revenues. Many of the program revenues are collected in the Spring.
- 78% of Recreation Revenues are transferred from the General Fund.

Electric Fund

- The Electric Fund has sales revenues that are currently on target with expectations in the amount of \$7,025,450.
- Revenues are at 49% with 58% of the year billed.
- \$823,634 from Retained Earnings was used to balance the Electric Fund Budget.

Water Fund

- The Water Fund is on target with water sales at 51% for the year.
- Current sales are at \$808,950 for the year.
- The Water Fund used \$288,838 of Retained Earnings to balance the Budget.

Sewer Fund

- The Sewer Fund Sales are on target with \$1,415,352 in sales. Which is 52% of the sales budgeted for the year.
- This fund was balanced with \$26,000 from Retained Earnings.

Stormwater Fund

- Stormwater billings are \$271,146 or 51% of the Budget.
- There were no funds from Retained Earnings used to balance the budget.

FY 2024-2025 Expenditures

- General Fund
- Recreation Fund
- Electric Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

General Fund

- At this point in the year, we have had five Budget Amendment changes in the General Fund Budget.
- I would expect at least two more Budget Amendments before year-end.
- In the General Fund the Town has spent 49% of the funds that were appropriated.
- There are still capital outlay purchases to be made.

Recreation Fund

- The Recreation Fund is approximately the same as last year, with 36% of the yearly appropriations having been spent.
- \$476,841 of the \$1,338,243 budgeted has been spent.
- Capital spending for Recreation this year is estimated around \$43,069.

Electric Fund

- The “Purchase for Resale” line item is currently ahead of target with \$1,753,250 of the \$4,200,000 having been spent. This is 42% of the budget for the year. Although Natural Gas prices have remained steady the last 12 months, fluctuations may continue to affect this line item.
- The total fund expenditure is at 48% of the appropriation for the year.
- The total Electric Fund Budget is \$9,683,100.

Water Fund

- The total expenditure is at 57% of the appropriation for the year.
- “Purchase for Resale” is at 38% of the Budget for the year with \$260,019 of the \$681,158 having been spent.
- The total Water Fund Budget is \$2,607,890.

Stormwater Fund

- The Stormwater Fund has spent 46% of its annual appropriation of \$858,798
- The largest appropriations in the Stormwater Fund are Contracted Services for \$100,725 and the AIA Grant for \$260,970.

Fund Balance Status

- Our GF unassigned Fund Balance as of 6-30-24 was 137.69%. Up from 124.25% in 2023.
- The Town appropriated \$386,483 down from \$612,972 a \$226,489 decrease to balance the Budget this year. Unassigned FB is \$13,761,390 or 75% of Annual Operating Expense.
- The Fund Balance percentage presented for the General Fund includes the Recreation Fund. The Recreation Reserve has \$181,470.

Fund Balance Status

- The Powell Bill Fund has a Fund Balance of \$572,730.
- The Electric Fund has Unrestricted Retained Earnings in the amount of \$8,381,188 or 87% of the Annual Operating Budget.
- The Water Fund has Retained Earnings in the amount of \$1,753,341 or 68% of the AOB.
- The Sewer Fund has RE in the amount of \$977,092 which is 27% of the AOB.
- The Storm Water Fund has RE in the amount of \$4,561,580 or 532% of the AOB

Factors for Next Year

- We have four loans coming off the books this year.
- The Electric Fund - \$98,112 for the Electric Substation Modification.
- The General Fund - \$101,610 for the Recreation Park Expansion, and \$11,932 for the Downtown Land Acquisition.
- The Sewer Fund - \$32,689 for the Sewer Rehab Project.

External Factors For Next Year

- Housing permits issued by the Inspections dept. decreased to 73 in 2024 down from 160 in 2023. Permits are expected to be steady in the next FY with a possible increase in inventory.
- The unemployment rate for Greenville is 3.9% down slightly from 4.1% for 2024.
- The CPI for the last 12 months was 2.9% according to the US Bureau of Labor Statics. 3.4% last year.

External Factors For Next Year

- Overall economists are suggesting a relatively stable year for 2025 with some moderate growth.
- The Federal Reserve is anticipated to cut interest rates to around 4% in 2025.
- Inflation rates have peaked and should begin to trend down. The expected inflation rate for 2025 is 2.75% according to Statista and 2.5% according to Market Watch.
- Construction materials are expected to increase around 5-7% compared to 2024.

External Factors For Next Year

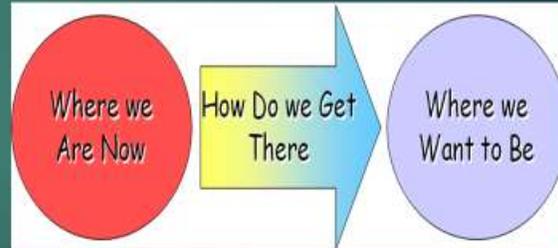
- Sales and Use Tax have decreased slightly from last year. We are at 58% of the budget, so we are still on target. Lower inflation rates may cause Sales Tax Revenue to see a decline in 2025 as well.
- Expecting increases in Health Insurance in the 3% to 9% range.
- One cent on the Current Tax Levy yields \$129,899.
- Cost of Living Raises

3. Terri L. Parker, Town Manager and Town Management Team. Vision Setting Presentation.

Town of Winterville Vision Setting Meeting

1

- ▶ Winterville Assembly Room
- ▶ 5:30 pm
- ▶ January 28, 2025



2025 Vision Setting Meeting Goals/Projects – FY 2025-2026

2



- ❖ Strategic Planning
- ❖ Identify Way to Increase Town Revenue
- ❖ Economic Development (constant and ongoing)
- ❖ Focus on Downtown Re-development
 - Beautification
 - Parking – underway
 - Market on the Square Property
 - Lighting – underway
- ❖ Expansion of Workforce to Handle Growth
- ❖ Succession Planning
- ❖ Multi-Purpose Facility and other associated park facilities (west side of Town)
- ❖ RR St/Nobel Canal Stormwater Project

2025 Vision Setting Meeting Goals/Projects – FY 2025-2026



2

- ❖ Strategic Planning
- ❖ Identify Way to Increase Town Revenue
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- ❖ RR St/Nobel Canal Stormwater Project

3



“ A GOAL
WITHOUT
A PLAN
IS JUST
A WISH ”

2025 Vision Setting Meeting Goals/Projects – FY 2025-2026



- ❖ **Stormwater Projects**
 - Lee Street
 - Chapman Street
- ❖ **EMS**

- ❖ **Cemetery Expansion Project**
- ❖ **Sewer Projects**
 - Old Tar Road Expansion
 - Outfall Line to Jack Jones
 - Chapman St Line Replacement
- ❖ **Water Projects**
 - Old Tar Road Expansion
 - Looping Project
 - Line Expansion Project – 10"
 - Worthington to Laurie Ellis and Church St and Park Road
 - New Water Tower
 - Lead and Copper Rules
- ❖ **Electric Projects**
 - Old Tar Road Expansion
 - Territory Expansion
- ❖ **Future/Amended Services**

4

Public Building Needs: *(this list is not inclusive and is subject to change)*

HVAC SYSTEMS – Across all Buildings

Town Hall

- Drive Thru, Parking Plan, Dumpster
- Repair/replace Walkway at Front of Town Hall
- Paint Inside of Building

Public Safety

- New Roof
- Future Fire Substations
- Fire Training Ground
- Renovation of Current Facility

Parks and Recreation

- Maintenance building



5

Public Building Needs: *(this list is not inclusive and is subject to change)*

6

Library

- Front Steps (Temporarily Fixed)
- Carpet, Paint
- Lighting
- Roof
- Backflow Preventor Vault Leaks

Public Works

- Master Plan Needed for Ops Center
- Fuel Pump Project

Electric

- Master Plan Needed for Ops Center



7

2025 Vision
Setting Meeting

Closing Questions
or Comments?

Mayor Hines said NCBEMO informed them to be mindful of FEMA back to states to local. Storms could wipeout reserves. Town Manager Parker said FEMA reimbursements never a guarantee and can lag well into the future. Grant funding is up in the air. Settle back and watch. Mayor Hines said next 3 months will be critical, iron out in the area of 9 months, we are in different times. Look down the road. We can look and see our visions. Councilwoman Roberson said trash collections in the red last year. Assistant Town Manager Bowers said we have made up some ground. Water/sewer an item to be most critical. Change in administration and weather must be closely watched. No need to panic at this time. Town Manager Parker said we have made progress on the GFL contract and other pick-ups has leveled off. Public Works Director McGuffin said debris has gone down since it is paid by the customer.

Town Manager Parker noted we have GFL and routes Town runs are separate, both need to pay for themselves. Assistant Town Manager Bowers said CMSD sewer and other projects on-going and upcoming. Town Manager Parker noted our portion of the CMSD improvements down, however there will impact. Councilwoman Roberson asked will localities pay equally. Town Manager Parker said improvements have been based on flow, currently, not based on population, creative ways to spread across localities. Mayor Pro Tem Moye asked how soon this will be coming and how about the EMS. Town Manager Parker said coming this year and EMS will need to decide how things will go. Mayor Hines said 2 years out: the cemetery, downtown parking, and lighting priorities. Councilwoman Smith said agree, they are manageable and helpful to downtown and businesses. Assistant Town Manager Bowers said decorative lights now have 2 out, they need to be reenergized, look at styles. Interim Electric Director Mills said we have added some lights on poles to provide light and make things better, fix lights and would need more lights. Town Manager Parker said outlying areas will need additions. Councilwoman Smith Council needs recommendation of what provides more lights and options. Town Manager Parker noted The Market Square space will need more light, extended parking areas. Assistant Town Manager Bowers said some in CSX area and makes it harder but still can be done. Mayor Hines said is paving scheduled in Downtown. Councilwoman Smith said is paving in cemetery included. Town Manager Parker said it can be included. Public Works Director McGuffin said can pave when weather permits. Councilwoman Smith noted property is not getting cheaper. Mayor Hines asked about gas pumps. Assistant Town Manager Bowers there are some funds in this year's budget, can start shortly. Mayor Hines asked can paving at OPS be included with cemetery. Town Manager Parker said if animal control is lost and we continue to talk to County. Councilwoman Harrell we need to develop a strategic plan, we need this to work with all partners. Can NCLM help us. Town Manager Parker said would not propose we do it in-house, will reach out to NCLM for this service. Councilwoman Harrell we need this put at the fore front. Town Manager Parker now is a good time to pull together departmental plans. Councilwoman Hawkins said she would echo Councilwoman Harrell of need to have a strategic plan. Must not miss the listening sessions of what citizen needs are, key is visibility, listen to them. Town Manager Parker said very important, the key point are the input sessions. Strategic plan, cemetery, downtown, fuel pump, animal control. Mayor Pro Tem Moye said the Library is important.

RECESS:

Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Moye to recess the meeting until Tuesday, February 4, 2025 at 5:30 pm. Motion carried unanimously, 5-0. Meeting recessed at 8:03 pm.

Adopted this the 10th day of March 2025.

Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**WINTERVILLE TOWN COUNCIL
TUESDAY, FEBRUARY 4, 2025 – 5:30 PM
VISION SETTING PART 2 MEETING MINUTES**

The Winterville Town Council met in a Regular Meeting on the above date at 5:30 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Johnny Moye, Mayor Pro Tem
Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman (excused due to family illness)
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Interim Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION/BLESSING: Councilwoman Harrell gave the Invocation and Blessing.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

ROLL CALL: All Present except Councilwoman Hawkins who was excused due to family illness.

APPROVAL OF AGENDA:

Motion made by Mayor Pro Tem Moye and seconded by Councilwoman Smith to approve the agenda. Motion carried unanimously, 4-0.

BREAK FOR DINNER

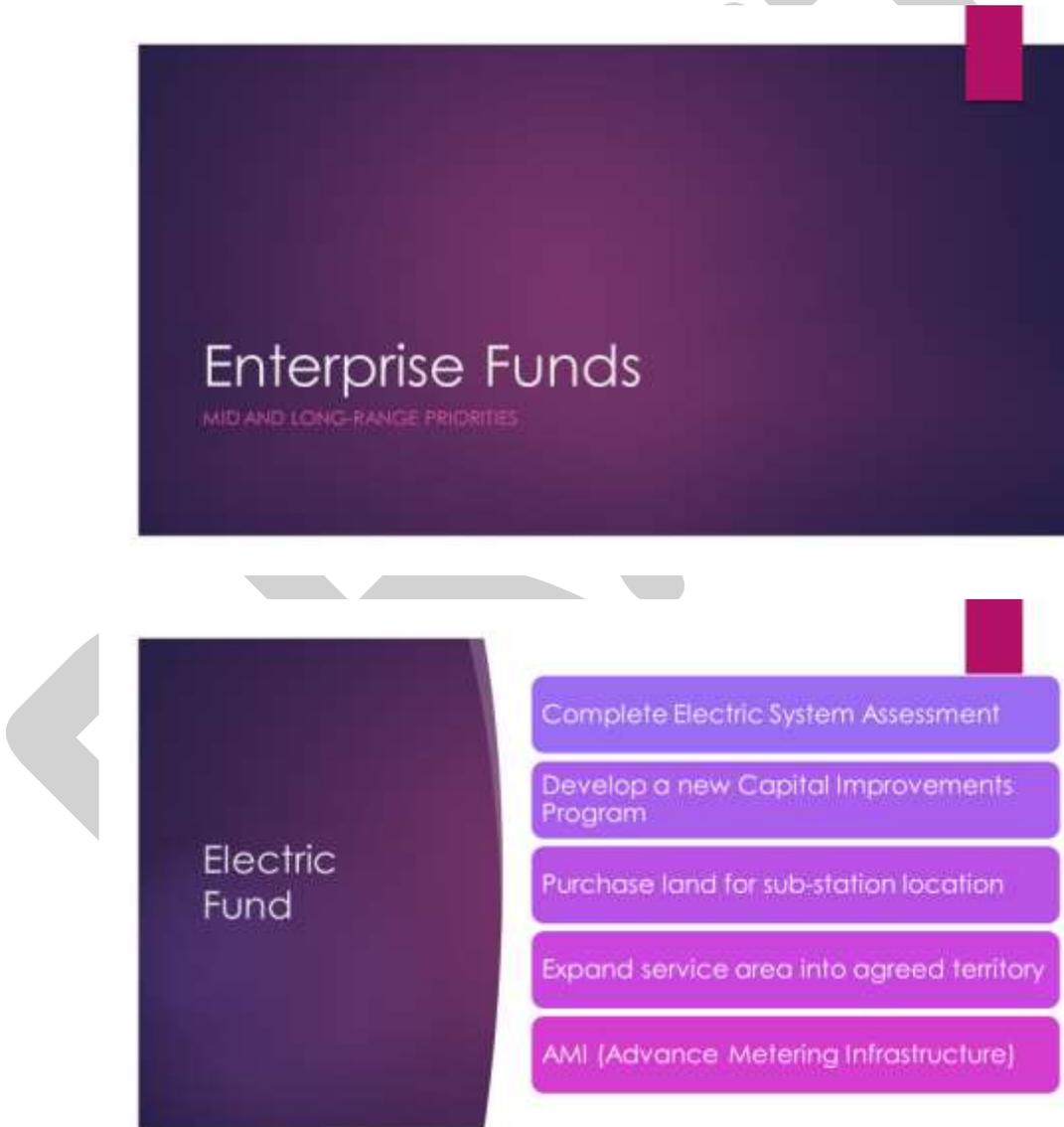
COUNCIL VISION SETTING PROCESS AND DISCUSSION:

1. Terri L. Parker, Town Manager and Town Management Team.

Mayor Hines said we looked at 3 years; tonight, look at 3 - 7 years. Funding under the present times will need to be innovative and look under every rock. Look at items west of town. Look at partnerships to help. Economic development and uplifting small communities. All looking for a piece of the pie. Councilwoman Roberson said the drainage project has been hanging a long time. Councilwoman Smith need to look at Library. Councilwoman Harrell said money allocated to multi-purpose, strategic plans.

Town Manager Parker to form a list including fire training, substations, expanding workforce balance.

Assistant Town Manager Bowers gave the following Enterprise Funds presentation with Council and Staff comments throughout.



Electric Service Area



Water Fund

Water Looping Project

Water Tower Construction

Asbestos Line removal project

Sewer Fund

Construct the Southeast outfall

Chapman St. Line replacement

Complete the long-range plan for regionalization of sewer pump stations

Phase I of constructing regional pump stations



Water Fund: Mayor Pro Tem Moye asked could we dig a well. Assistant Town Manager Bowers said the aquifer permit would not allow. Town Manager Parker said we could have a reduction anytime, purchasing is the only solution. Assistant Town Manager Bowers said purchase land for water tower than construct tower, water line looping is essential. Councilwoman Roberson what is the cost for looping. Assistant Town Manager Bowers estimate \$2 million for 80% of loops.

Sewer Fund: Town Manager Parker said there are an estimated \$26 million in needs at CMSD and we would pay a portion.

Stormwater Fund: Drainage project in progress and possibly start construction in 2026 with Phase 1 estimated to cost \$11 million. Future phases not included with no cost estimates at this time. Mayor Pro Tem Moye said costs increasing, can we get a cost for the entire project. Assistant Town Manager Bowers said we can but it would cost to get an engineer to prepare the estimate. Town Manager Parker said there are numerous documents needed to development priorities. Town Manager Parker send a list of needs and Council will prioritize and return. Councilwoman Smith said did we have a list prepared for us. Assistant Town Manager Bowers we do. Town Manager Parker Comprehensive Recreation Plan will be presented in February and the Site specific plan in April. Additional plans are in the works. A future meeting could help prioritize items. Mayor Pro Tem Moye asked about the budgets steps before June. Town Manager Parker the short term for this budget year; long term future years. Mayor Hines said plan for long term future years. Town Manager Parker said costs and plans. Councilwoman Harrell asked will you send long term. Town Manager Parker said will send both short and long term priorities. Mayor Pro Tem Moye asked short term 1 - 2 years; Multi-purpose top priority. Town Manager Parker said to build up to an estimate \$20 million plus staffing; how to fund and effect on tax rate. Mayor Pro Tem Moye said even in phases. Parks and Recreation Director White said the cost not known now, includes building and fields. Councilwoman Smith said remember necessary infrastructure needs, juggle other needs also. Town Manager Parker said all have priority, none lack importance. Mayor Hines noted many other needs are necessary; take a look at other buildings, look at a variety of funding sources. Councilwoman Roberson said long term projects will see attention during the short term.

MAYOR AND COUNCIL COMMENTS:

Councilwoman Roberson: This is a good start to setting our priorities.

Mayor Pro Tem Moyer: Stormwater has been talked about for many years, finally is headed in the right direction due to Vision by Council. Old Tar Road project get ready for if plans stay on schedule. We need to do what we have to do. Assistant Town Manager Bowers said they have only 2 parcels left to get; then we have items for us to undertake. Betterments will be our cost.

Councilwoman Smith: Grateful to serve community.

Councilwoman Harrell: Thanks to our staff. Put into action our plans.

Mayor Hines: Good meetings, Accomplishments through discussions.

ADJOURN:

Motion made by Councilwoman Smith and seconded by Councilwoman Harrell to adjourn the meeting. Motion carried unanimously, 4-0. Meeting adjourned at 7:17 pm.

Adopted this the 10th day of March 2025.

Johnny Moyer, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 10, 2025

Presenter: Jessica Manning, Finance Director

Item to be Considered

Subject: Audit Contract for Fiscal Year 2024-2025.

Action Requested: Approval of the Audit Contract with Thompson, Price, Scott, Adams & Co., P.A.

Attachment: Audit Engagement Letter and Audit Contract

Prepared By: Jessica Manning, Finance Director

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Each year the Town Council must approve the contract with the audit firm that it will use for its independent review of the Town's Finances. The Council approved the audit contract with Thompson, Price, Scott, Adams, & Co., PA for the 2023-2024 fiscal year audit and the following 2 years at the June 2024 Town Council meeting. We are recommending that we use Thompson, Price, Scott, Adams, & Co., PA out of Wilmington, NC again this year. This firm is highly respected and one of the leading firms in the area. We were pleased with their services last year as they made the transition to a new auditing firm a smooth process. The firms audit staff was efficient, communicated well, and completed and submitted the audit to the LGC on time. Audit firms specializing in local government audits are continuing to be difficult to contract, as well as finding a firm that can be depended on to complete the audit in a timely manner.

Budgetary Impact: The Audit Contract is covered by the annual appropriation for audit services in the Finance Department budget. The total cost of the contract is \$49,000.

Recommendation: Staff recommends Council approve the Audit Contract.



Thompson, Price, Scott, Adams & Co., P.A.
4024 Oleander Drive Suite 103
Wilmington, North Carolina 28403
Telephone (910) 791-4872
Fax (910) 239-8294

January 1, 2025

Town of Winterville, NC

To Management and Those Charged with Governance

We are pleased to confirm our understanding of the services we are to provide for Town of Winterville for the year ended June 30, 2025.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of Town of Winterville as of and for the year ended June 30, 2025. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Winterville's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Town of Winterville's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 1) Net Pension Asset/Liability RSI
- 2) OPEB

We have also been engaged to report on supplementary information other than RSI that accompanies Winterville's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a separate written report accompanying our auditor's report on the financial statements.

- 1) Schedule of expenditures of federal awards.
- 2) Budgetary Comparison Statements
- 3) Combining Statements
- 4) Individual Fund Statements

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

- Improper revenue recognition
- Management override of controls

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Winterville's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures

described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Winterville's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on Winterville's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of Winterville in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review by August 1, 2025.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to [include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings,

conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the Board; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Thompson, Price, Scott, Adams, & Co., P.A. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to Oversight Agencies, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Thompson, Price, Scott, Adams, & Co., P.A. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Gregory Adams, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately July 1, 2025.

Our fee for these services is stated in the LGC approved contract. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly. If more than two additional funds are added to the current fiscal year Trial Balance over prior years Trial Balance, there will be an additional charge of \$500 per fund added onto the total price of the audit.

Reporting

We will issue a written report upon completion of our audit of Town of Winterville's financial statements. Our report will be addressed to management and those charged with governance of Town of Winterville. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to Winterville and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,

Thompson, Price, Scott, Adams, & Co., P.A.

RESPONSE:

This letter correctly sets forth the understanding of Town of Winterville.

Management signature: _____

Title: _____

Date: _____

Governance signature: _____

Title: _____

Date: _____

Auditor Signature: _____

Title: _____

Date: _____

The	Governing Board
of	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name
	Auditor Address

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
-----	--------------------	-------------------------------------

Must be within six months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. If the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period, the Auditor shall perform the audit in accordance with *Government Auditing Standards* (GAGAS). The Governmental Unit is subject to federal single audit requirements in accordance with Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards*, Subpart F (*Uniform Guidance*) and the State Single Audit Implementation Act. Currently the threshold is \$750,000 for a federal single audit and \$500,000 for a State Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501) the Auditor and Governmental Unit(s) should discuss, in advance of the execution of this contract, the responsibility for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512) to ensure proper submission.

Effective for audits of fiscal years beginning on or after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within six months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.
24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.
25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.
26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.
27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Preparing financial statements in their entirety shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.
- All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.
28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:
- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
 - b) the status of the prior year audit findings;
 - c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
 - d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.
29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name: **Title and Unit / Company:** **Email Address:**

OR Not Applicable *(Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)*

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

Primary Government Unit	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$

Discretely Presented Component Unit	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Authorized Firm Representative (typed or printed)*	Signature*
Date*	Email Address*

GOVERNMENTAL UNIT

Governmental Unit*	
Date Governing Board Approved Audit Contract* (Enter date in box to right)	
Mayor/Chairperson (typed or printed)*	Signature*
Date	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by This Transaction:	\$
Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Date of Pre-Audit Certificate*	Email Address*

**SIGNATURE PAGE – DPCU
(complete only if applicable)**

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Enter date in box to right)	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by this Transaction:	\$
DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: March 10, 2025

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Stella Little Rezoning.

Action Requested: Schedule Public Hearing for April 14th Town Council Meeting.

Attachment: Rezoning Application; Rezoning Map; Legal Description; Staff Report; Concept Sketch Plan; and P&Z Consistency, Reasonableness and Rezoning Vote.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Applicant: Lennar Carolinas, LLC.

Location: Northeastern Corner of Davenport Farm Road and Reedy Branch Road.

Parcel Numbers: 13781

Site Data: This rezoning is for 25.055 acres. The existing parcel contains 26.99 Acres, however some of the land is being combined with the Reedy Branch Freewill Baptist Church.

Current Zoning District: Agricultural Residential (AR)

Proposed Zoning District: R-6 Conditional District (CD): Conditions:

1. Permitted uses shall be limited to Single-Family Detached Residential.
2. A minimum of ten percent (10%) of the net site shall be designated as open space.
3. At the time of construction drawing approval, a 70' right of way for future extension of Dr. Fulford Rd shall be dedicated.

Comprehensive Plan/Future Land Use Plan Character Area: Urban Neighborhood with a commercial overlay.

Staff Analysis: Staff recommends approval.

The proposed R-6 Conditional District aligns with designated Urban Neighborhood Character Area in which the Stella Little Property is designated within our Comprehensive Land Use Plan. The 25.055 site is surrounded by a variety of existing uses. Pitt Community College rests to the north, Sam's Club and other commercial properties lie to the east, while Farmstead, a large single-family residential development, is proposed to the West of this site. This proposed R-6 Conditional District, requires single-family detached development, providing an appropriate transition from the higher intensity uses, north and east of this property, to the lower intensity uses that are proposed, west of this property.

This product would help diversify our housing stock, while creating a neighborhood that is ideal for walkability and multi-modal travel to existing employment, educational, entertainment, and shopping opportunities.

Please review the attached documents, staff report, Comprehensive Land Use Plan, and Zoning Ordinance for more detail and information on the proposal.

P&Z Analysis:

- (1) **This rezoning received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. The vote was seven to one (7-1).**

Budgetary Impact: TBD.

Recommendation: Schedule Public Hearing for April 14th Town Council Meeting



**REZONING APPLICATION
TOWN OF WINTERVILLE**
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Lennar Carolinas, LLC
Address: 1800 Perimeter Park Drive, Suite 112, Morrisville NC 27560
Phone #: (984) 209-2952
Owner: Stella Little Farm, a North Carolina general partnership
Address: 217 King George Road, Greenville NC 27858
Phone #: _____

PROPERTY INFORMATION

Parcel #: A portion of 13781 Area (square feet or acres): 25.055 acres
Current Land Use: Agricultural, Single Family Residential
Location of Property: 226 Davenport Farm Road

ZONING REQUEST

Existing Zoning: AR Requested Zoning: R6-CD
Reason for zoning change: To facilitate the development of a single family detached residential neighborhood, which is aligned with the Town of Winterville Comprehensive Land Use Plan designation of Urban Neighborhood. This request is for an R-6 Conditional District.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

Attachment 1.

Zoning Conditions

1. Permitted uses shall be limited to single-family detached.
2. A minimum of ten percent (10%) of the net site area shall be designated as open space.
3. At the time of construction drawing approval, a 70-foot right-of-way for the future extension of Dr. Fulford Road shall be dedicated.

OWNER/AGENT STATEMENT

I, Sarah Van Every, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 02 / 17 / 2025.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

- All owners of the property must sign the application.

Signature Sarah Van Every Digitally signed by Sarah Van Every
DN: cn=Sarah Van Every, c=US, email=vanevery@mcadamsco.com, Date: 2025.01.22 11:25:17 -05'00' Date _____

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

- All owners of the property must sign the application.

I, JOHN CHESTER LITTLE, being the Owner of the property described herein,

do hereby authorize Sarah Van Every as agent for the purpose of this application.

John Chester Little
Signature

1/16/2025
Date

Sworn to and subscribed before me, this 16th day of January, 2025.



Edgar J. Pallares
Notary Public

My Commission Expires:
April 10, 2028

- All owners of the property must sign the application.

I, Linda W Little, being the Owner of the property described herein,

do hereby authorize Sarah Van Every as agent for the purpose of this application.

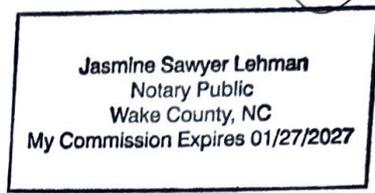
Signature Linda W Little

Date 01/17/2025

Sworn to and subscribed before me, this 17th day of January, 2025.

Jasmine Sawyer Lehman
Notary Public

My Commission Expires:
01.27.2027



- All owners of the property must sign the application.

I, Marvin Little, being the Owner of the property described herein,
do hereby authorize Sarah Van Every as agent for the purpose of this
application.

Marvin Little _____ Date 1/17/25
Signature

Sworn to and subscribed before me, this 17th day of January, 2025.

Veronica L Browning
Notary Public

My Commission Expires:
April 12, 2025



- All owners of the property must sign the application.

I, Jean L. Cherry, being the Owner of the property described herein,
do hereby authorize Sarah Van Every as agent for the purpose of this
application.

Jean L. Cherry
Signature 1-20-24
Date

Sworn to and subscribed before me, this 20th day of January, 2025.

Veronica L. Brownridge
Notary Public

My Commission Expires:
4/12/2027



- All owners of the property must sign the application.

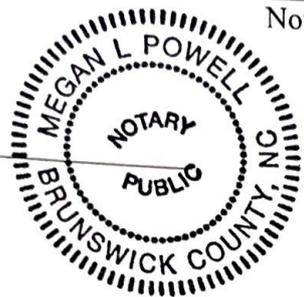
I, Judy Lynn Little, being the Owner of the property described herein,
do hereby authorize Sarah Van Every as agent for the purpose of this
application.

Signature Judy L Little Date 1-17-2025

Sworn to and subscribed before me, this 17th day of January, 20 25.

Megan L. Powell
Notary Public

My Commission Expires:
06/22/2027



- All owners of the property must sign the application.

Please complete and notary

I, Mary L Floyd, being the Owner of the property described herein do hereby authorize Sarah Van Every as agent for the purpose of this application.

Mary L Floyd Signature 1-21-25 Date

Sworn to and subscribed before me, this 21st day of January, 2025.

Trevor Jackson Notary Public

My Commission Expires: 10/22/2034



• All owners of the property must sign the application.

I, Philip Dwight EVERETT, being the Owner of the property described herein,

do hereby authorize Sarah Van Every as agent for the purpose of this application.

Signature *Philip Dwight Everett*

Date 1/17/25

Sworn to and subscribed before me, this 17th day of January, 2025.

Brittany Noble
Notary Public

My Commission Expires:
01-18-2026



- All owners of the property must sign the application.

I, Robert W. Little, being the Owner of the property described herein,

do hereby authorize Sarah Van Every as agent for the purpose of this

application.

Robert W. Little
Signature

1/16/2025
Date

Sworn to and subscribed before me, this 16th day of JANUARY, 20 25

Linda Mitchell Fauntleroy
Notary Public

My Commission Expires:

June 30, 2026



Staff Use Only

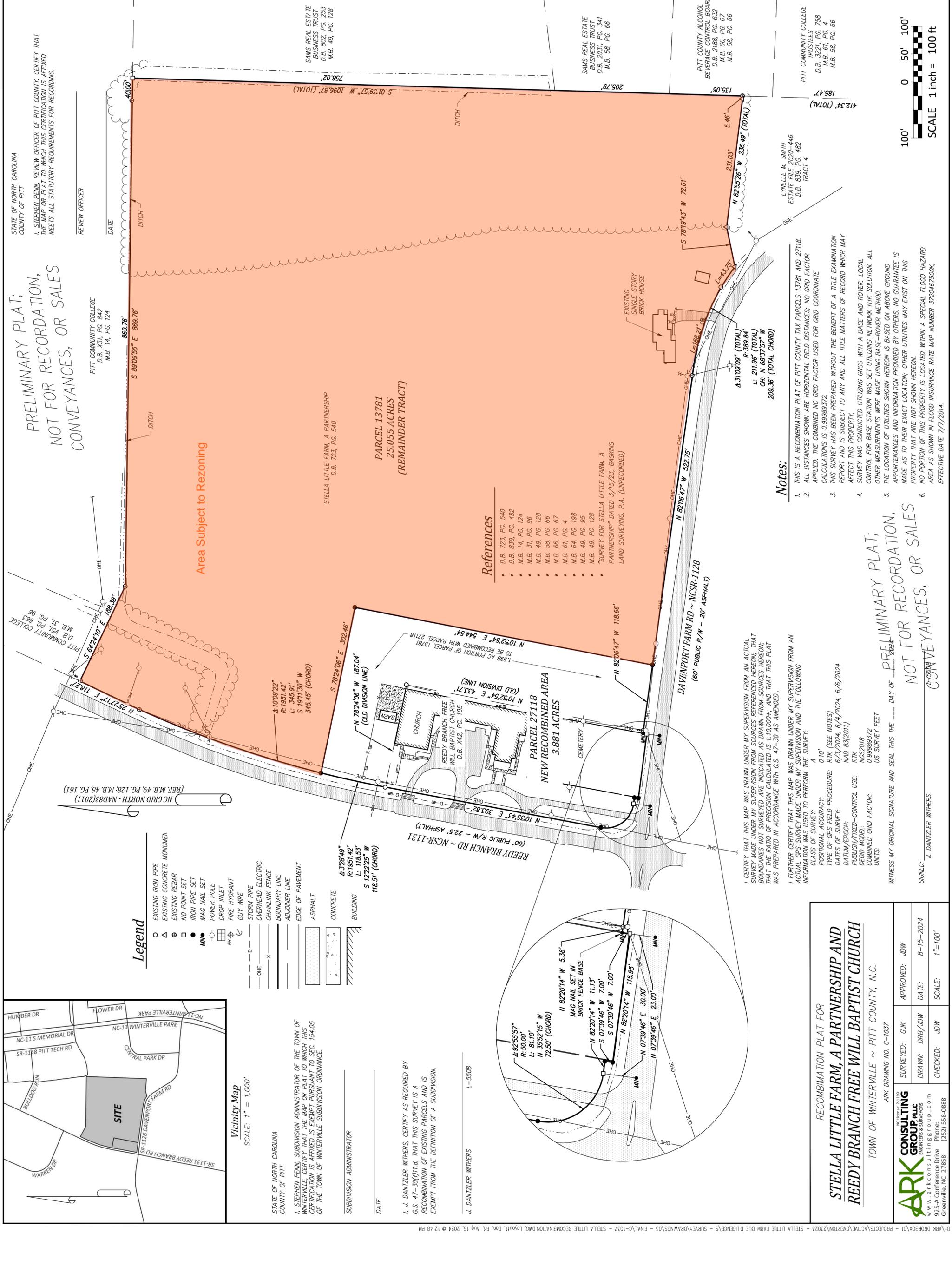
Appl. #: _____ Fee Amount _____ Date Paid _____

Planning Board Recommendation: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____

Town Council Decision: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____



STATE OF NORTH CAROLINA
COUNTY OF PITT

I, STEPHEN PENN, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

PITT COMMUNITY COLLEGE
D.B. X51, PG. 842
M.B. 14, PG. 124

SAMS REAL ESTATE
BUSINESS TRUST
D.B. 802, PG. 253
M.B. 49, PG. 128

STELLA LITTLE FARM, A PARTNERSHIP
D.B. 723, PG. 540

PARCEL 13781
25.055 ACRES
(REMAINDER TRACT)

STELLA LITTLE FARM, A PARTNERSHIP
D.B. 723, PG. 540

REEDY BRANCH FREE
WILL BAPTIST CHURCH
D.B. X42, PG. 195

PARCEL 27118
3.881 ACRES
NEW RECOMBINED AREA

DAVENPORT FARM RD ~ NCSR-1128
(60' PUBLIC R/W - 20' ASPHALT)

REEDY BRANCH RD ~ NCSR-1131
(60' PUBLIC R/W - 22.5' ASPHALT)

EXISTING SINGLE STORY
BRICK HOUSE

SAMS REAL ESTATE
BUSINESS TRUST
D.B. 2031, PG. 341
M.B. 58, PG. 66

PITT COUNTY ALCOHOL
BEVERAGE CONTROL BOARD
D.B. 2188, PG. 632
M.B. 66, PG. 67
M.B. 58, PG. 66

LYNELLE M. SMITH
ESTATE FILE 2020-446
D.B. 839, PG. 482
TRACT 4

PITT COMMUNITY COLLEGE
TRUSTEES
D.B. 3221, PG. 758
M.B. 61, PG. 4
M.B. 58, PG. 66

PRELIMINARY PLAT;
NOT FOR RECORDATION,
CONVEYANCES, OR SALES

Area Subject to Rezoning

References

- D.B. 723, PG. 540
- D.B. 839, PG. 482
- M.B. 14, PG. 124
- M.B. 31, PG. 96
- M.B. 49, PG. 128
- M.B. 58, PG. 66
- M.B. 66, PG. 67
- M.B. 61, PG. 4
- M.B. 64, PG. 198
- M.B. 49, PG. 128
- M.B. 49, PG. 95
- "SURVEY FOR STELLA LITTLE FARM, A PARTNERSHIP" DATED 3/15/23, GASKINS LAND SURVEYING, P.A. (UNRECORDED)

Notes:

- THIS IS A RECOMBINATION PLAT OF PITT COUNTY TAX PARCELS 13781 AND 27118. ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES. NO GRID FACTOR APPLIED. THE COMBINED NC GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.99989372.
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION REPORT AND IS SUBJECT TO ANY AND ALL TITLE MATTERS OF RECORD WHICH MAY AFFECT THIS PROPERTY.
- SURVEY WAS CONDUCTED UTILIZING GNSS WITH A BASE AND ROVER. LOCAL CONTROL FOR BASE STATION WAS SET UTILIZING NETWORK RTK SOLUTION. ALL OTHER MEASUREMENTS WERE MADE USING BASE-ROVER METHOD.
- THE LOCATION OF UTILITIES SHOWN HEREON IS BASED ON ABOVE GROUND APPURTENANCES, AND INFORMATION PROVIDED BY OTHERS. NO GUARANTEE IS MADE AS TO THEIR EXACT LOCATION; OTHER UTILITIES MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
- NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN IN FLOOD INSURANCE RATE MAP NUMBER 1720467500K, EFFECTIVE DATE 7/7/2014.

PRELIMINARY PLAT;
NOT FOR RECORDATION,
CONVEYANCES, OR SALES

Legend

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING REBAR
- NO POINT SET
- IRON PIPE SET
- MAG NAIL SET
- POWER POLE
- DROP INLET
- FIRE HYDRANT
- GUY WIRE
- STORM PIPE
- OVERHEAD ELECTRIC
- CHAINLINK FENCE
- BOUNDARY LINE
- ADJOINER LINE
- EDGE OF PAVEMENT
- ASPHALT
- CONCRETE
- BUILDING



Vicinity Map
SCALE: 1" = 1,000'

STATE OF NORTH CAROLINA
COUNTY OF PITT

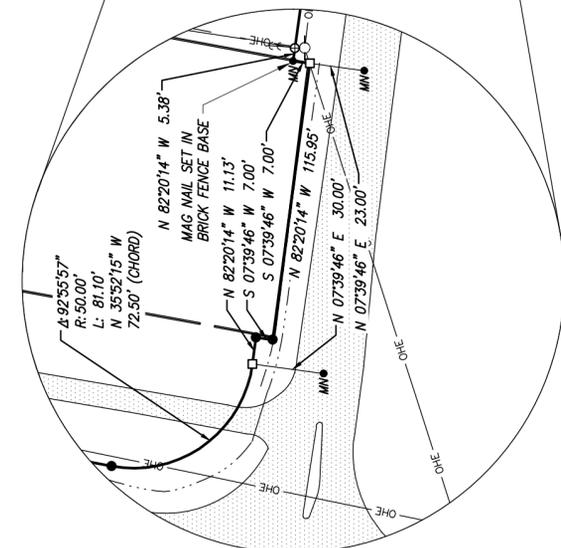
I, STEPHEN PENN, SUBDIVISION ADMINISTRATOR OF THE TOWN OF WINTERVILLE, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED IS EXEMPT PURSUANT TO SEC. 154.05 OF THE TOWN OF WINTERVILLE SUBDIVISION ORDINANCE.

SUBDIVISION ADMINISTRATOR

DATE

I, J. DANTZLER WITHERS, CERTIFY AS REQUIRED BY G.S. 47-30(1)11.d. THAT THIS SURVEY IS A RECOMBINATION OF EXISTING PARCELS AND IS EXEMPT FROM THE DEFINITION OF A SUBDIVISION.

J. DANTZLER WITHERS L-5508



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM SOURCES REFERENCED HEREON. THAT BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM SOURCES HEREON; THAT THE RATIO OF PRECISION CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

CLASS OF SURVEY: A
POSITIONAL ACCURACY: 0.10'
TYPE OF GPS FIELD PROCEDURE: RTK (SEE NOTES)
DATES OF SURVEY: 6/3/2024, 6/4/2024, 6/6/2024
DATUM/EPOCH: NAD 83(2011)
PUBLISH/FIXED-CONTROL USE: RTK
GEOID MODEL: NGS2018
COMBINED GRID FACTOR: 0.99989372
UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE ____ DAY OF _____, 2024.

SIGNED: J. DANTZLER WITHERS

RECOMBINATION PLAT FOR

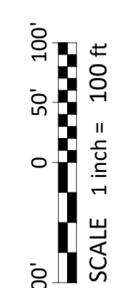
STELLA LITTLE FARM, A PARTNERSHIP AND REEDY BRANCH FREE WILL BAPTIST CHURCH

TOWN OF WINTERVILLE ~ PITT COUNTY, N.C.

ARK DRAWING NO. C-1037

SURVEYED: GJK	APPROVED: JDW
DRAWN: DRB/JDW	DATE: 8-15-2024
CHECKED: JDW	SCALE: 1"=100'

NC License # 1109
ARK CONSULTING GROUP, LLC
ENGINEERS & SURVEYORS
www.arkconsultinggroup.com
925-A Conference Drive Phone: (252) 558-0888
Greenville, NC 27858

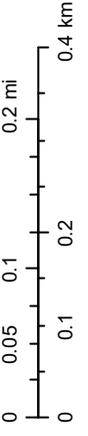


Stella Little Farm



January 21, 2025

1:8,135



-  Parcels
-  County Boundary
-  County Road Labels
-  NC Counties
-  County Roads

STELLA LITTLE FARM REZONING DESCRIPTION

BEGINNING AT A POINT ON THE EASTERN RIGHT OF WAY OF REEDY BRANCH ROAD, BEING ALSO NORTH CAROLINA STATE ROAD 1131, AT THE SOUTHWESTERN CORNER OF PITT COMMUNITY COLLEGE AS SHOWN ON MAP BOOK 31, PAGE 96 OF THE PITT COUNTY REGISTRY, THE POINT OF BEGINNING; THENCE WITH SAID COMMON LINE SOUTH 64°24'10" EAST A DISTANCE OF 188.38 FEET TO A POINT, THE SOUTHWEST CORNER OF PITT COMMUNITY COLLEGE AS SHOWN ON MAP BOOK 14, PAGE 124; THENCE WITH SAID COMMON LINE SOUTH 89°09'55" EAST A DISTANCE OF 909.76 FEET TO A POINT, THE NORTHWEST CORNER OF SAMS REAL ESTATE BUSINESS TRUST; THENCE WITH SAID COMMON LINE SOUTH 01°39'58" WEST A DISTANCE OF 1096.88 FEET TO A POINT, THE NORTHEAST CORNER OF LYNELLE M. SMITH, AS DESCRIBED ON DEED BOOK 839, PAGE 482; THENCE WITH SAID COMMON LINE NORTH 82°55'26" WEST A DISTANCE OF 236.49 FEET TO A POINT; THENCE SOUTH 78°19'43" WEST A DISTANCE OF 72.61 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF DAVENPORT FARM ROAD, BEING ALSO NORTH CAROLINA STATE ROAD 1128; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 389.84 FEET, AN ARC LENGTH OF 211.96 FEET, A CHORD BEARING OF NORTH 68°37'57" WEST, A CHORD LENGTH OF 209.36 FEET TO A POINT; THENCE NORTH 82°06'47" WEST A DISTANCE OF 522.75 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY NORTH 10°52'54" EAST A DISTANCE OF 544.54 FEET TO A POINT; THENCE NORTH 78°24'06" WEST A DISTANCE OF 302.46 FEET TO A POINT ON THE EASTERN RIGHT OF WAY OF SAID REEDY BRANCH ROAD; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 1,951.42 FEET, AN ARC LENGTH OF 345.91 FEET, A CHORD BEARING OF NORTH 19°11'30" EAST, A CHORD LENGTH OF 345.45 FEET TO A POINT; THENCE NORTH 25°27'17" EAST A DISTANCE OF 118.27 FEET TO THE POINT OF BEGINNING; CONTAINING 1,091,380 SQUARE FEET OR 25.05 ACRES.



**Town of Winterville Planning Department
Zoning Staff Report- Stella Little Property (P 13781)**

GENERAL INFORMATION

APPLICANT	Lennar Carolinas, LLC.
HEARING TYPE	Rezoning Request
REQUEST	R-6 Conditional District (CD)
CONDITIONS	<ol style="list-style-type: none"> 1. Permitted uses shall be limited to Single-Family Detached Residential. 2. A minimum of ten percent (10%) of the net site shall be designated as open space. 3. At the time of construction drawing approval, a 70' right of way for future extension of Dr. Fulford Rd shall be dedicated.
LOCATION	North Eastern Corner of Reedy Branch Road and Davenport Farm Road.
PARCEL ID NUMBER(S)	13781
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on 2.5.25 to inform of the P&Z meeting. Notification was posted on site on 2.6.25. 19 properties were mailed notification.
TRACT SIZE	Entire parcel tract is 26.99 acres; only 25.055 acres is part of this rezoning as shown on rezoning map.
TOPOGRAPHY	Flat
VEGETATION	Agricultural Land and some wooded land.

SITE DATA

EXISTING USE	Agricultural/ Wooded
---------------------	----------------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	Office and Institutional	Pitt Community College.
W	Agricultural Residential (Church); & R-8 Conditional District (Farmstead Subdivision_	Church; Single Family Residential on the opposite side of Reedy Branch Road.
E	General Business.	Sam's Club Shopping Center & Pitt County ABC Store.
S	Agricultural Residential.	Mostly agricultural farm uses with a couple of single family residential homes.



ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	Agricultural Residential.	R-6 Conditional Uses.
MAX DENSITY	TBD	TBD
TYPICAL USES	A-R: Agricultural and farming use, & low density residential.	Higher density residential. With the "single-family detached" requirement of this conditional district, this request will consist of single-family detached homes.

SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	TBD
FLOODPLAIN	N/A
STREAMS	TBD
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site Plan / Construction Plan required.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Reedy Branch Road – NCDOT Street. (Classified as a "Minor Thoroughfare") Davenport Farm Road – NCDOT Street. (Classified as a "Minor Thoroughfare")
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Reedy Branch Road (Taken North of site near Bulldog Run Rd, 4700 AADT 2022.



	Davenport Farm Road (Adjacent to site)- 6800 AADT 2022.
<p>Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection.</p> <p><i>* LOS is rated from A-F: A is the best, F the worst.</i></p> <p><i>* Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.</i></p>	<p>* Reedy Branch Road (Adjacent to site).</p> <ul style="list-style-type: none"> • Current: LOS B. • Future: LOS B. <p>* Davenport Farm Road (Adjacent to Site).</p> <ul style="list-style-type: none"> • Current: LOS A. • Future: LOS B.
TRIP GENERATION	TBD.
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A – Rezoning Phase.
OTHER	N/A

IMPACT ANALYSIS

Land Use Compatibility

The proposed R-6 CD aligns with the Urban Neighborhood Character Comprehensive Land Use Plan designation. Smaller lot, single-family detached, provides an appropriate transition from the General Business Zoning Districts (Sam's Club, etc) and the surrounding properties and proposals (Such as Farmstead and other existing Single Family Residential to the west of this site.).

Town of Winterville Comprehensive Land Use Plan Policies

The Comprehensive Plan Designates this site as "Urban Neighborhood" Character Area with a Commercial Overlay District.

- Potential Zoning Districts as suggested in the Comprehensive Plan:
 - R-12.5, R-10, and R-8.
 - Possibly R-6 or M-R.
- The Comprehensive Land Use plan suggests that "Small- lot Single-family detached residential should dominate this district. They suggest that the lots contain 6,000 to 10,000sf lots.

This proposal would create a 6,000sf residential lot as a minimum and the attached condition to this proposal ensures that only single-family detached is to be present.

Therefore, the proposal aligns with the Future Land Use Character area as described within the Comprehensive Land Use Plan.



Comprehensive Land Use Plans - Recommendations & Implementation

Encourage Walkable Developments- This locations is walkable to Pitt Community College and a significant amount of commercial businesses in this area of Winterville.

Support Higher Density Housing Options at Strategic Locations- Winterville does not have a lot of smaller lot, higher density development. This site and location provides a great opportunity for the town to diversify its housing stock in a location that may be walkable to shopping, employment, and entertainment.

Reinforce the Town's Identity as a family-friendly community- Support residential uses in the Urban Neighborhood areas.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 25.055 site under consideration is surrounded by a variety of existing uses. Pitt Community College rests to the north, Sam's Club and other commercial properties lie to the east, while Farmstead, a large single-family residential development, is proposed to the West of this site. This proposed R-6 Conditional District, requires single-family detached development, providing an appropriate transition from the higher intensity uses, north and east of this property, to the lower intensity uses that are proposed, west of this property.

This product would help diversify our housing stock, while creating a neighborhood that is ideal for walkability and multi-modal travel to existing employment, educational, entertainment, and shopping opportunities.

The conditions that are attached to this proposal are beneficial for this site and location as well:

1. Permitted Uses Shall be limited to single-family detached.
 - a. Staff's Response: The Comprehensive Land Use plan suggests that 6,000sf single family detached lots shall dominate the Urban Neighborhood Character Area. This condition ensures that Single Family Attached or Multi-family may not be developed on this site without a future rezoning.
2. A minimum of ten percent (10%) of the net site area shall be designed as open space.
 - a. Staff's Response: The Compressive Land Use plan suggests that a 5%-10% of the land, within an Urban Neighborhood Character Area, to remain open space or common area. As Winterville continues to grow, it is a desire of the Zoning



Ordinance and Town Staff to ensure that we are bringing "communities" to Winterville, rather than just more houses. Open space and common area provide an opportunity for recreation space within the neighborhood. It also enhances safety and community relations within the neighborhood.

3. At the time of construction drawing approval, a 70-foot right of way for the future extension of Dr. Fulford Road shall be dedicated.
 - a. In the development of this site, one of the biggest concerns of the Planning Department was the future connection of Dr. Fulford Road and Reedy Branch Road. An extension of Fire Tower Road to Reedy Branch Road has been explored for many years. Not only could this could provide great interconnectivity, but it may be critical if Reedy Branch Road is to terminate within this area, allowing for a more unified Pitt Community College campus while alleviating some of the safety concerns on campus.

Staff Recommendation

Staff recommends approval of the rezoning request for the 25.055 acres from AR to R-6CD:

- R-6 CD:
 - Conditions
 - 1. Permitted Uses Shall be limited to single-family detached.
 - 2. A minimum of ten percent (10% of the net site area shall be designed as open space
 - 3. At the time of construction drawing approval, a 70-foot right of way for the future extension of Dr. Fulford Road shall be dedicated.

*** The applicant has included a "Sketch Plan" that is intended to provide an example of how this site could be developed. This development will not be bound to this sketch plan nor has this sketch plan been reviewed or approved by the Winterville Technical Review Committee. If this rezoning is approved, the applicant will need to supply a Preliminary Plat that meets all standards of the Town for the R-6 Zoning District and the standards of their three conditions (as outlined above) for review by the Technical Review Committee, the Planning and Zoning Board, and Town Council.

Planning and Zoning Recommendation

This rezoning received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. The vote was seven to one (7-1).



**Town of Winterville
Rezoning Request
Statement of Consistency & Reasonableness**

**Stella Little Rezoning
February 17, 2025- Planning and Zoning Board Meeting**

Consistency:

The proposed rezoning request **is consistent with the Town of Winterville's Comprehensive Land Use Plan** as parcel 13781 is designated as "Urban Neighborhood" with a "Commercial Overlay" district on the Future Land Use Map.

**The Town of Winterville governing boards must approve written statements documenting their consideration of the plans when making rezoning and zoning text amendment decisions, although they do not have to take actions that are consistent with the plan.*

Decision: In review of the Winterville Comprehensive Land Use Plan, the Stella Little Rezoning Amendment is found to be consistent with the Town of Winterville Comprehensive Plan on February 17, 2025.

Reasonableness:

The rezoning request **is** reasonable and in the public interest, in that it allows for land uses that **are** harmonious with surrounding land uses, land uses in close proximity, and is in the public interest:

- The Town of Winterville governing boards must adopt a statement of reasonableness for each rezoning. These factors are suggested and not mandated, as not all factors will be relevant to all zoning decisions. The following list of factors should be considered in a reasonableness analysis. **The Town of Winterville is considering:**

- i. The size, physical conditions, and other attributes of the area proposed to be rezoned;

Applicable? Y/N	If applicable, is the proposal reasonable:
	Decision _____

- ii. The benefits and detriments to the landowners, the neighbors, and the surrounding community;

Applicable? Y/N	If applicable, is the proposal reasonable:
	Decision _____

- iii. The relationship between the current, actual, and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- iv. Why the action taken is in the public interest; and

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

- v. Any changed conditions warranting the amendment

Applicable? Y/N	If applicable, is the proposal reasonable: Decision _____
-----------------	--

In Review of the Stella Little Rezoning Amendment, the rezoning request is reasonable and in the public interest, in that it allows for land uses that are harmonious with surrounding land uses and land uses in close proximity as found on February 17, 2025 by the Winterville Planning and Zoning Board.

Vote to Approve or Deny Rezoning:

In review of the Stella Little Property rezoning proposal's, Consistency and Reasonableness, The Town of Winterville's Planning and Zoning Board recommends **approval** of the rezoning request by Lennar Carolinas, LLC to rezone 25.055 acres of property (Parcel # 13781), adjacent to Davenport Farm Road and Reedy Branch Road, from Agricultural-Residential (AR) to R-6 Conditional District.

Conditions:

- 1. Permitted uses shall be limited to single-family detached.
- 2. A minimum of ten percent (10%) of the net site area shall be designated as open space.
- 3. At the time of construction drawing approval, a 70-foot right-of-way for the future extension of Dr. Fulford Road shall be dedicated.


Staff Witness:

2/17/25
Date

**** P&Z Vote was Seven to One (7-1) in support.

Appendix/Other Considerations Specific to this Particular Rezoning:

****This rezoning is proposed as a Conditional District Rezoning. Conditional Districts contain additional considerations for their review:**

- **Conditional Districts:** In approving a Conditional District, the Town Council shall make the following affirmative findings:
 1. That the Use(s) requested is among those listed as an eligible Use in the corresponding General Zoning District.
 2. That the Use Limitations and Conditions as proposed and/or imposed for the Conditional District meet or exceed and/or are at least as restrictive as the minimum standards for the corresponding General Zoning District.
 3. That the Use Limitations and Conditions as proposed and/or imposed for the requested Conditional District can reasonably be implemented and enforced for the subject property.
 4. That when implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all those uses and the minimum standards of the corresponding General Zoning District.
 5. That the applicant has agreed to the use limitations and conditions as proposed and/or imposed for the requested Conditional District.

Document Links:

- Zoning Ordinance: https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/21-o-112_zoning_ordinance_amend-7.1_executed.pdf
 - Zoning Districts and Table of Uses: Article V.
 - Rezoning Amendment Procedures: Article XIII.
 - Land Use Plan: <https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/winterville-land-use-plan-adopted-10-14-2019-reduced.pdf>
 - Future Land Use Map & Character areas: Section 4; beginning on page 43.
 - Plan Consistency & Reasonableness Guidance: https://www.sog.unc.edu/sites/www.sog.unc.edu/files/6%20ConsistencyStatements_160DGuidanceDoc%20Mar%202021.pdf
-



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 10, 2025

Presenter: Anthony Bowers, Assistant Town Manager

Item to be Considered

Subject: Grant Application and Commitment to fund – Bike and Pedestrian Safety Plan – NCDOT.

Action Requested: Approve resolution, grant application and 20% funding match.

Attachment: Resolution 25-R-031

Prepared By: Anthony Bowers, Assistant Town Manager

Date: 2/28/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

The Town staff is seeking an opportunity to update our Bicycle and Pedestrian Plan with a grant from NCDOT. This grant will allow us to obtain a study of the Town and create an updated plan for making improvements in Town.

The Grant Application deadline is March 25th.

The anticipated budget for this project is expected to be \$65,000 and the Town will be responsible for 20% match.

We feel this will pair nicely with the Safe Routes to School Grant and the Safe Streets for All Grant that the Town has been awarded.

Budgetary Impact: A maximum of \$13,000.

Recommendation: Staff recommends Council adopt Resolution 25-R-031, the grant application and 20% funding match.

A RESOLUTION OF SUPPORT AND ADMINISTRATION FOR AN APPLICATION TO NCDOT FOR A BIKE AND PEDESTRIAN GRANT

WHEREAS, the North Carolina Department of Transportation is accepting applications for a bicycle and pedestrian grant; and

WHEREAS, the Bicycle and Pedestrian grant is a program offered by NCDOT to provide improvements that can help make bicycling and walking safe and healthy transportation alternative.; and

WHEREAS, the Winterville Town Council recognizes the importance of a balanced transportation network to the economic and social well-being of the community; and

WHEREAS, upon submitting Bicycle and Pedestrian Grant applications, a resolution expressing support for the application and willingness to administer the 20% matching funds needed from the Winterville Town Council; and

WHEREAS, the Town of Winterville will partner with the NCDOT to submit an application by the March 25th deadline for submission, and

WHEREAS, the Town of Winterville will be the lead agency partnering with NCDOT and will support and administer the; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville, North Carolina That: The Winterville Town Council adopts a resolution of support and administration for an application for a Bicycle and Pedestrian Grant Program with NCDOT.

Adopted this the 10th day of March 2025.

Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified Town Clerk of the Town of Winterville does hereby certify: That the above attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as adopted at a legally convened meeting of the Winterville Town Council duly held on the 10th day of March 2025; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF,

I have hereunto set my hand this 10th day of March 2025.

Donald Harvey, Town Clerk

NOTARY

STATE of NORTH CAROLINA

COUNTY of PITT

I, Kristin L. Godley a Notary Public of Pitt County, North Carolina do hereby certify that Donald Harvey personally appeared before me on the 10th day of March 2025 to affix his signature to the foregoing document.

Kristin L. Godley, Notary Public

My commission expires: June 23rd, 2029.

(Affix Seal)



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 10, 2025

Presenter: Anthony Bowers, Assistant Town Manager

Item to be Considered

Subject: Grant Application and Commitment to fund – Safe Routes to School 1-year Extension.

Action Requested: Approve Resolution, Grant application and 20% funding match.

Attachment: Resolution 25-R-032.

Prepared By: Anthony Bowers, Assistant Town Manager

Date: 2/28/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

The Town staff is seeking an opportunity to extend our Safe Routes to School grant from NCDOT to three years. This grant was originally funded for 2 years. It has been a great asset to the Town and the program has been a huge success.

The Grant Application deadline is March 14th.

The anticipated budget for this project is expected to be \$60,922 and the Town will be responsible for 20% match.

This Safe Routes to School Program has helped accomplished amazing educational opportunities for children of Winterville and promoted many changes in the community for the betterment of safe routes to school

Budgetary Impact: An Estimate of \$12,500.

Recommendation: Staff recommends Council adopt Resolution 25-R-032, Grant application and 20% funding match.

A RESOLUTION OF SUPPORT AND ADMINISTRATION FOR AN APPLICATION TO NCDOT FOR A SAFE ROUTES TO SCHOOLS GRANT

WHEREAS, the North Carolina Department of Transportation is accepting applications for Safe Routes to Schools; and

WHEREAS, the Safe Routes to Schools program is a grant reimbursement program to provide improvements that can help make bicycling and walking to and from school a safe and healthy transportation alternative.; and

WHEREAS, the Winterville Town Council recognizes the importance of a balanced transportation network to the economic and social well-being of the community; and

WHEREAS, upon submitting Safe Routes to School Grant applications, a resolution expressing support for the application and willingness to administer the funds is needed from the Winterville Town Council; and

WHEREAS, the Town of Winterville will look to obtain funding the Safe Routes to School Program for a third year and will commit to a 20% funding match. The Town will submit an application by the March 14th, 2025 deadline for submission, and

WHEREAS, the Town of Winterville will be the lead agency partnering with the Safe Communities Coalition of Pitt County and the Eastern Carolina Injury Prevention Program and will support and administer the Safe Routes to School Grant; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville, North Carolina That: The Winterville Town Council adopts a resolution of support and administration for an application for a Safe Routes to School Grant Program.

Adopted this the 10th day of March 2025.

Johnny Moye, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified Town Clerk of the Town of Winterville does hereby certify: That the above attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as adopted at a legally convened meeting of the Winterville Town Council duly held on the 10th day of March 2025; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF,

I have hereunto set my hand this 10th day of March 2025.

Donald Harvey, Town Clerk

NOTARY

STATE of NORTH CAROLINA

COUNTY of PITT

I, Kristin L. Godley a Notary Public of Pitt County, North Carolina do hereby certify that Donald Harvey personally appeared before me on the 10th day of March 2025 to affix his signature to the foregoing document.

Kristin L. Godley, Notary Public

My commission expires: June 23rd, 2029.

(Affix Seal)



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 10, 2025

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Board of Elections Decisions.

Action Requested: Approval of One-Stop Early Voting Filing Fees.

Attachment: Board of Elections Correspondence.

Prepared By: Donald Harvey, Town Clerk

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Approval of the following:

- 2025 Municipal Election estimated cost \$12,977.92;
- 2025 Hosting an Early Voting in Community Room estimated cost \$11,529.37;
- One-Stop Early Voting at Community Room (October 27 – November 1: 8:00 am – 6:00 pm); and
- Filing Fees:
 - Mayor: (Last Fee \$25.00 / >\$5.00 and < 1% of pay)
 - Council: (Last Fee \$12.00 / >\$5.00 and < 1% of pay).

Budgetary Impact: See Election Guide.

Recommendation: Staff asks Council to discuss and approve One-Stop Voting and Filing Fees.

Board Members

Etsil S. Mason, Chair
Jeffrey Blick

Debbie Avery, Secretary
Derek Brown

Patricia C. Dunn

Town of Winterville
PO Box 1459
Winterville, NC 28590

February 7, 2025

Dear Town of Winterville:

We have calculated the Town of Winterville's estimated costs for the 2025 Municipal Election to be \$12,977.92. This estimate is based on the maximum utilization of all possible resources. The actual final costs may be lower. If the Town of Winterville wishes to host an additional Early Voting site(s), the cost for each site is estimated to be \$11,529.37:

Paragraph six of the current Municipal Agreement states that the expenses related to two Early Voting sites (Ag. Center and Community Schools) will be shared proportionally among the participating municipalities.

SIXTH: For all municipal elections two One-Stop sites will be in operation. The first site shall be located at the Pitt County Agricultural Center at 403 Government Cir.; the second site shall be located at the Community Schools Building at 4561 County Home Rd. Each municipality shall be responsible for its proportional share of the expenses, based on the percentage of municipal registered voters, related to these two sites.

A municipality may request the Board of Elections provide an additional One-Stop site located within their jurisdiction. If approved by the Board of Elections, said municipality shall be responsible for all expenses related to the operation of the additional One-Stop site.

Changes in election law and State Board of Elections directives have altered how we can fulfill the agreement. NC State Board of Elections Numbered Memo 2020-13 stipulates the location of an Early Voting "in lieu of" site as within the same city/town as the Elections Office, and within 4 miles from the Elections Office or a 10-minute drive. As our office is too small to serve as an Early Voting site, we must utilize an "in lieu of" site.

In NC General Statute 163-166.35(e) sites in addition to the "in lieu of" site may be opened at a later date; however, all additional sites must be open on the same days and hours. In an effort to reduce expenses for the municipalities additional sites will open the last week of Early Voting (October 27 – November 1). Municipalities must notify the Director of the Pitt County Board of Elections by June 1, 2025 the number of additional sites, if any, they desire to host. The five-member Board of Elections

Board Members

Etsil S. Mason, Chair
Jeffrey Blick

Debbie Avery, Secretary
Derek Brown

Patricia C. Dunn

will determine the location of all sites no later than July 2025. NC General Statute grants the authority to select Early Voting site locations only to the County or State Board of Elections.

Important dates for the election are:

- Candidate filing: July 7 to July 18
- Absentee mail-out begins: October 3
- Early Voting: October 16 to November 1
- Election Day: November 4
- Canvass: November 14

Please review the enclosed 2025 Municipal Election checklist to verify the information is correct. If there are any errors, please provide us with the correct information. Also, indicate the filing fees that are to be charged to candidates for the 2025 election.

If you have any questions please feel free to contact me.

Sincerely,



David P. Davis



Town of Winterville

Office	Elected Official	Last Election	Next Election	Correct?
Mayor	Ricky Hines	2021	2025	<input type="checkbox"/> Yes <input type="checkbox"/> No
Council	Brandy Harrell	2023	2027	<input type="checkbox"/> Yes <input type="checkbox"/> No
Council	Shantel Hawkins	2021	2025	<input type="checkbox"/> Yes <input type="checkbox"/> No
Council	Johnny Moye	2021	2025	<input type="checkbox"/> Yes <input type="checkbox"/> No
Council	Veronica W. Roberson	2023	2027	<input type="checkbox"/> Yes <input type="checkbox"/> No
Council	Lisa A. Smith	2023	2027	<input type="checkbox"/> Yes <input type="checkbox"/> No

Office	Previous Filing Fee	2025 Filing Fee
Mayor	\$25.00	
Council	\$12.00	

§ 163-294.2. Notice of candidacy and filing fee in nonpartisan municipal elections.

(e) The filing fee for the primary or election shall be fixed by the governing board not later than the day before candidates are permitted to begin filing notices of candidacy. There shall be a minimum filing fee of five dollars (\$5.00). The governing board shall have the authority to set the filing fee at not less than five dollars (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless one percent (1%) of the annual salary of the office sought is less than five dollars (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged. The fee shall be paid to the board of elections at the time notice of candidacy is filed.

Signature of authorizing agent

Date

Title of authorizing agent



NORTH CAROLINA STATE BOARD OF ELECTIONS

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611

(919) 814-0700 or
(866) 522-4723

Fax: (919) 715-0135

Numbered Memo 2020-13

TO: County Boards of Elections
FROM: Karen Brinson Bell, Executive Director
RE: One-Stop Planning for the 2020 General Election
DATE: June 24, 2020

Submission of One-Stop Plans

The deadline for submission of one-stop plans is **Friday, July 31, 2020**. July 31 is the deadline for both unanimous and non-unanimous plans. We need to receive all proposed majority and minority plans by this deadline to ensure that our data team has time to complete its data analysis prior to the State Board's meeting. Letters explaining the rationale for the proposed plan and other supporting documents may be submitted after July 31. Supporting documents may be sent directly to the Legal Division.

We anticipate that the State Board will hold its meeting to consider non-unanimous plans during the last week of August.

Recommendations for One-Stop Sites

Counties should begin work now on one-stop plans and have those ready for the final week of July. **As Executive Director, I strongly encourage all counties to consider expanding the number of one-stop voting sites for the 2020 general election, for which Session Law 2020-17 appropriated funds.**

Presidential elections traditionally have high turnout, and as we have seen in some other states and jurisdictions, conducting an election during the coronavirus pandemic has caused long lines for in-person voting, which conflicts with recommendations from public health officials about large gatherings and the spread of the virus. It may take longer to process voters as we employ health and safety measures and social distancing. Counties should also consider conducting one-stop early voting each of the 17 days permitted by law to further accommodate the large volume of voters and to adhere to health and safety measures.

Because of North Carolina’s tendency to have tremendous participation during the one-stop early voting period, we must prepare accordingly. While we believe we will see an increase in absentee by mail voting, the Congressional District 11 Republican second primary has shown that North Carolinians will continue to vote in-person. For voters who choose to vote in-person, one-stop early voting is the best means to ensure there is not a bottleneck on Election Day, when we may face additional challenges in administering voting including possible poll worker and polling place shortages.

As we have reiterated since March, no voter should fear disease when casting their ballot. Expanding the opportunity to vote during the one-stop period with an increase in the number of sites and providing in-person voting everyday of the 17-day period is the most proactive step we can take to ensure the health and safety for voters, poll workers, and all election officials during in-person voting since we know our Election Day polling places are often limited in size, availability, and accessibility.

Statutory Requirements

“In Lieu of” Site

G.S. § 163-227.6(a) permits a county board of elections to conduct one-stop voting at a site other than its office if the site is “reasonably proximate” to the office. These sites are typically referred to as “in lieu of sites.”

We have received questions about how county boards should determine whether a particular location may serve as an in lieu of site. I am not aware that the State Board has issued guidance on this matter. Because of the COVID-19 pandemic, some county board of elections offices or typical in lieu of sites are not large enough to accommodate social distancing needs this year. Therefore, I am issuing the following guidance that I will use in my review of unanimous one-stop plans to determine whether a site is reasonably proximate to the county board office.

The in lieu of site must be:

1. In the same city or town as the county board of elections office; and
2. Either (a) within 4 miles driving distance of the county board office; or (b) within 10 minutes driving time, using Google Maps or a similar online calculator.

Additionally, if the site is being moved to a different area of town, the county board must consider whether an additional site or sites are necessary to reduce the driving or commuting time for voters for whom the in lieu of site is less convenient than the previous office location.

State Board Criteria

Previously, statute required the State Board to consider the “factors including geographic, demographic, and partisan interests of that county” in adopting a plan for a county board of elections.

G.S. § 163-227.6, as amended by Session Law 2019-239, now requires that the State Board consider “whether the Plan disproportionately favors any party, racial or ethnic group, or candidate.”

During its consideration of non-unanimous plans for the 2020 primary, the State Board interpreted the amendment to not constitute a substantial change in the criteria required for its consideration. The current statute requires that the entire plan, not an individual one-stop site, be considered in determining that a plan does not disproportionately favor a party, racial or ethnic group, or candidate. While the State Board must take the listed factors into consideration, it was not prohibited from considering other factors at the same time. Constitutional provisions, including the *NAACP v. McCrory* decision by the 4th Circuit in 2016 that struck down statutory changes designed to restrict Sunday voting, are also not affected by the change in state law.

the sites chosen will not disproportionately favor any party, racial or ethnic group, or candidate. In providing the site or sites for early voting under this Part, the county board of elections shall make a request to the State, county, city, local school board, or other entity in control of the building that is supported or maintained, in whole or in part, by or through tax revenues at least 90 days prior to the start of early voting under this Part. The request shall clearly identify the building, or any specific portion thereof, requested the dates and times for which that building or specific portion thereof is requested and the requirement of an area for election related activity. If the State, local governing board, or other entity in control of the building does not respond to the request within 20 days, the building or specific portion thereof may be used for early voting as stated in the request. If the State, local governing board, or other entity in control of the building or specific portion thereof responds negatively to the request within 20 days, that entity and the county board of elections shall, in good faith, work to identify a building or specific portion thereof in which to conduct early voting under this Part. If no building or specific portion thereof has been agreed upon within 45 days from the date the county board of elections received a response to the request, the matter shall be resolved by the State Board.

(d) For all sites approved for early voting under this section, a county board of elections shall provide the following:

- (1) Each early voting site across the county shall be open at that same location during the period required by G.S. 163-166.40(b).
- (2) If any early voting site across the county is opened on any day during the period required by G.S. 163-166.40(b), all early voting sites shall be open on that day.
- (3) On each weekday during the period required by G.S. 163-166.40(b), all early voting sites shall be open from 8:00 A.M. to 7:30 P.M.
- (4) If the county board of elections opens early voting sites on Saturdays other than the last Saturday before the election during the period required by G.S. 163-166.40(b), then all early voting sites shall be open for the same number of hours uniformly throughout the county on those Saturdays.
- (5) If the county board of elections opens early voting sites on Sundays during the period required by G.S. 163-166.40(b), then all early voting sites shall be open for the same number of hours uniformly throughout the county on those Sundays.
- (6) All early voting sites shall be open on the last Saturday before the election, for the hours required under G.S. 163-166.40(b) for that last Saturday.

(e) Notwithstanding subsection (d) of this section, a county board of elections by unanimous vote of all its members may propose a Plan for Implementation providing for the number of sites set out below in that county for ballots to be cast with days and hours that vary from the county board of elections, or its alternate, and other additional early voting sites in that county. If the county board of elections is unable to reach unanimity in favor of a Plan for Implementation, a member or members of the county board of elections may petition the State Board to adopt a plan for the county and the State Board may adopt a Plan for Implementation for that county. However, any Plan for Implementation approved under this subsection shall provide for uniform location, days, and hours for that one site throughout the period required by G.S. 163-166.40(b). This subsection applies only to a county that meets any of the following:

- (1) One site in a county that includes a barrier island, which barrier island meets all of the following conditions:
 - a. It has permanent inhabitation of residents residing in an unincorporated area.
 - b. It is bounded on the east by the Atlantic Ocean and on the west by a coastal sound.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 10, 2025

Presenter: Diane White, Director of Parks and Recreation

Item to be Considered

Subject: Recreation Advisory Board Appointments.

Action Requested: Appoint Randy Bowers (current resident member of RAB) to one of the vacant non-residents within the ETJ position. Appoint Anthony Yocum (current RAB Alternate) to the vacant resident spot and appoint Lindsey Price to the Alternate member position.

Attachment: Applications attached.

Prepared By: Diane White, Director of Parks and Recreation

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Recreation Advisory Board Members:

The Recreation Advisory Board (RAB) is made up of six (6) Resident members, three (3) Non-Resident (ETJ) members, and one (1) Alternate member that may be a resident or non-resident.

Randy Bowers (currently serving as a resident, has moved to the ETJ). The Recreation Advisory Board (RAB) currently has a non-resident position vacant. Staff recommends appointing Randy Bowers to fill the vacant non-resident position as he currently serves as RAB President and is a big advocate for Parks and Recreation. His children have gone through our programs would like to continue to serve on RAB.

This creates a vacant resident position on the Recreation Advisory Board (RAB). Currently Anthony Yocum is serving in an alternate resident/non-resident position. Staff recommends appointing Anthony Yocum to fill the vacant resident position as he is very supportive of RAB and his children have played sports through our programs.

This creates a vacant alternate resident/non-resident position on the Recreation Advisory Board (RAB). Staff recommends appointing Lindsey Price to fill the vacant alternate resident/non-resident position. Per her application, she is active in the community and wants to help the Parks and Recreation department grow and help with providing more opportunities for the citizens to stay and be active.

Applications are attached in which the applicant indicated RAB as either their sole interest or first preference:

- Randy Bowers (currently serving on RAB as resident, would like to move to non-resident);
- Andy Yocum;
- Lindsey Price;
- Chanelle Flowers;
- Michael McFayden.

Budgetary Impact: None.

Recommendation: Staff recommends appointment of Randy Bowers (current resident member of RAB) to one of the vacant non-residents within the ETJ position; appointment of Anthony Yocum (current RAB Alternate) to the vacant resident spot; and appointment of Lindsey Price to the alternate member position.

TOWN OF WINTERVILLE

Received 02/12/2025 DAH

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- Board of Adjustment
- Recreation and Parks Advisory Board
- Human Relations Board
- Planning and Zoning Board
- Stormwater Advisory Committee

❖ Require in-town residency or in the Town's ETJ to be appointed to any volunteer board.

Name: Randy Bowers

Address: 867 Laurie Ellis Rd. (ETJ)
Winterville, NC 28590

Home Phone #: 252-714-7534 Business Phone #:

Email Address: randy.bowers6@gmail.com

Employed By: Edwards, Inc. Occupation: Sales/PM

Name of High School Attended: Jordan-Matthews High School - Siler City, NC

College or University Attended: East Carolina University - Greenville, NC

How long have you been a resident of Winterville? 20+ years

Have you served on a board/commission of the town? (X) Yes () No

If yes, please indicate which one(s): Current - Rec & Parks Adv. Board

Current membership in organization and offices held: R+P Adv. Board member/President

Past membership in organizations and offices held: R+P 15+ years

State why you feel you would be an asset to this board/commission. currently on R+P Board and have moved from city limits to ETJ and would like to continue position on board

Signature: [Signature] Date: 2/12/25

Please return to: Town of Winterville Town Clerk's Office PO Box 1459 Winterville, NC 28590 or email don.harvey@wintervillenc.com with the completed application.

This information requested below is optional:

Ethnic Group:	Sex: <input type="checkbox"/> Female <input checked="" type="checkbox"/> Male
<input type="checkbox"/> African American	US Citizenship: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> American Indian	Birth Date: <u>9/14/76</u>
<input type="checkbox"/> Asian or Pacific Islander	
<input checked="" type="checkbox"/> Caucasian	
<input type="checkbox"/> Hispanic	

TOWN OF WINTERVILLE

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- Board of Adjustment
Recreation and Parks Advisory Board
Human Relations Board
Planning and Zoning Board
Stormwater Advisory Committee

Require in-town residency or in the Town's ETJ to be appointed to any volunteer board.

Name: Richard "Anthony" Yocum, Jr.
Address: 3014 Oakwood Drive Winterville, NC 28590

Home Phone #: 919-815-0920 Business Phone #: 252-744-0483

Email Address: rayyocum85@gmail.com

Employed By: ECU Pharmacy Services Occupation: Inventory Manager

Name of High School Attended: East Wake High School

College or University Attended: East Carolina University

How long have you been a resident of Winterville? 12 yrs

Have you served on a board/commission of the town? () Yes (X) No

If yes, please indicate which one(s):

Current membership in organization and offices held:

Past membership in organizations and offices held:

State why you feel you would be an asset to this board/commission. I've coached my two sons in multiple sports in the Winterville PAR leagues and would love to weigh in and make decisions about their futures.

Signature: [Handwritten Signature] Date: 8/20/24

Please return to: Town of Winterville Town Clerk's Office PO Box 1459 Winterville, NC 28590 or email don.harvey@winterville.nc.com with the completed application.

This information requested below is optional:

Form with fields for Ethnic Group, Sex, US Citizenship, and Birth Date. Includes checkboxes for African American, American Indian, Asian or Pacific Islander, Caucasian, Hispanic, Female, Male, Yes, No.

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- Board of Adjustment
- Recreation and Parks Advisory Board
- Human Relations Board
- Planning and Zoning Board
- Stormwater Advisory Committee

❖ Require in-town residency or in the Town's ETJ to be appointed to any volunteer board.

Name: Lindsay S. Price

Address: 2804 Syrah Court, Winterville, NC 28590 (In Town)

Home Phone #: 919-394-2695 Business Phone #: 252-208-3776

Email Address: lsp0623@gmail.com

Employed By: Caswell Developmental Center Occupation: Clinical Social Worker

Name of High School Attended: North Duplin Jr./Sr. High School

College or University Attended: University of Mount Olive and East Carolina University

How long have you been a resident of Winterville? 5 years

Have you served on a board/commission of the town? () Yes (X) No

If yes, please indicate which one(s):

Current membership in organization and offices held: n/a

Past membership in organizations and offices held: n/a

State why you feel you would be an asset to this board/commission. I'm active within the community and as a mother want to see Parks and Recreation flourish and provide a lot of opportunities to our citizens to be active and connected to one another.

Signature: [Signature] Date: 8/21/2024

Please return to: Town of Winterville Town Clerk's Office PO Box 1459 Winterville, NC 28590 or email don.harvey@wintervillenc.com with the completed application.

This information requested below is optional:

Ethnic Group:	Sex: <input checked="" type="checkbox"/> Female <input type="checkbox"/> Male
<input type="checkbox"/> African American	US Citizenship: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> American Indian	Birth Date: _____
<input type="checkbox"/> Asian or Pacific Islander	
<input checked="" type="checkbox"/> Caucasian	
<input type="checkbox"/> Hispanic	

TOWN OF WINTERVILLE

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

_____ Board of Adjustment
X Recreation and Parks Advisory Board
_____ Human Relations Board
_____ Planning and Zoning Board
_____ Stormwater Advisory Committee

❖ Require in-town residency or in the Town's ETJ to be appointed to any volunteer board.

Name: Lindsay S. Price

Address: 2804 Syrah Court, Winterville, NC 28590

Home Phone #: 919-394-2695 Business Phone #: 252-208-3776

Email Address: lsp0623@gmail.com

Employed By: Caswell Developmental Center Occupation: Clinical Social Worker

Name of High School Attended: North Duplin Jr./Sr. High School

College or University Attended: University of Mount Olive and East Carolina University

How long have you been a resident of Winterville? 5 years

Have you served on a board/commission of the town? () Yes (X) No

If yes, please indicate which one(s): _____

Current membership in organization and offices held: n/a

Past membership in organizations and offices held: n/a

State why you feel you would be an asset to this board/commission. I'm active within the community and as a mother want to see Parks and Recreation flourish and provide a lot of opportunities to our citizens to be active and connected to one another.

Signature: [Signature] Date: 8/21/2024

Please return to: Town of Winterville Town Clerk's Office PO Box 1459 Winterville, NC 28590 or email don.harvey@wintervillenc.com with the completed application.

This information requested below is optional:

Ethnic Group: _____ African American _____ American Indian _____ Asian or Pacific Islander <input checked="" type="checkbox"/> Caucasian _____ Hispanic	Sex: <input checked="" type="checkbox"/> Female _____ Male US Citizenship: <input checked="" type="checkbox"/> Yes _____ No Birth Date: _____
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TOWN OF WINTERVILLE

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- Board of Adjustment
Recreation and Parks Advisory Board (marked with X)
Human Relations Board
Planning and Zoning Board
Stormwater Advisory Committee

Require in-town residency or in the Town's ETJ to be appointed to any volunteer board.

Name: Chanelle Flowers

Address: 425 Williamston Drive Winterville, NC 28590 (In Town)

Home Phone #: 252-916-1658 Business Phone #:

Email Address: cfhardison1922@gmail.com

Employed By: Lenoir Community College Occupation: Coordinator and Instructor of Adult High School/Hybrid Programs

Name of High School Attended: D.H. Conley

College or University Attended: East Carolina University

How long have you been a resident of Winterville? 32 years

Have you served on a board/commission of the town? () Yes (x) No

If yes, please indicate which one(s):

Current membership in organization and offices held: NPHC of Pitt County, 2nd Vice President

Sigma Gamma Rho Sorority, Inc, 2nd Vice Presiden Pitt County Aids Service Organization (PICASO)-Vice President

Past membership in organizations and offices held: NPHC of Pitt County-delegate

LAMBS PLACE-board member, Sigma Gamma Rho Sorority, Inc-Secretary, Advisor, Chair, Delegate, PICASO-secretary, board member

State why you feel you would be an asset to this board/commission.

I have been a resident of the town of WInterville for 32 years and have seen the growth and development. With that being said I would like to be an active part of the recreational opportunities offered for the residents and surrounding counites to experience. I would love to feed my passion for planning, programming, community, and family

Signature: Chanelle Flowers Date:

Please return to: Town of Winterville Town Clerk's Office PO Box 1459 Winterville, NC 28590 or email don.harvey@wintervillenc.com with the completed application.

This information requested below is optional:

Form with fields for Ethnic Group (marked with X for African American), Sex (marked with X for Female), US Citizenship (marked with X for Yes), and Birth Date (03/17/1978).



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 10, 2025

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Carroll Crossing Section 4 Preliminary Plat.

Action Requested: Review and Approve Preliminary Plat.

Attachment: Carroll Crossing Section 4 Preliminary Plat; Special Use Permit.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 2/26/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Applicant: O'Kane and Associates, PLLC.

Location: Northeastern Corner of Church Street and Jeremy Lane.

Parcel Numbers: 04819.

Site Data: 4.193 Acres.

Zoning District: R-8 CD: (Condition that all duplexes shall have brick facades).

Proposed Use: 23 residential Units.

- Twenty-Three (23) residential units: eleven lots will be used for duplexes (22 Units) and one lot will be used for a single-family detached home (lot 90).
- The R-8 Zoning District permits duplexes as a "Special Use". This Project obtained their Special Use Permit to add two family/duplexes to this site on July 16, 2024.

Other Details:

- A sidewalk and berm will be installed adjacent to Church Street.
- A sidewalk will be located within the subdivision's newly added "Eugene Drive".

Staff Analysis:

- This site obtained their Special Use Permit on July 16, 2024 to add Two Family/Duplexes to this site.
- **This Preliminary Plat has been reviewed by the Winterville Technical Review Committee and has received staff approval.**

P&Z Vote:

- **This Preliminary Plat unanimously received recommendation for approval at the February 17, 2025 Planning and Zoning Board Meeting. (8-0).**

Budgetary Impact: TBD.

Recommendation: Staff recommends Approval of the Carroll Crossing Section 4 Preliminary Plat.

**TOWN OF WINTERVILLE
PITT COUNTY
NORTH CAROLINA**

**ORDER APPROVING
A Special Use Permit**

The Board of Adjustment for the Town of Winterville held a public hearing on July 16, 2024, to consider an application submitted by the Applicant, O’Kane and Associates, PLLC, for a Special Use Permit for a Single-Family Attached Development on the property located on Parcel 04819 in Winterville, North Carolina. As presented by the Applicant, the development will consist of single-family attached or single family detached dwelling units.

Having heard all of the evidence and arguments presented at the public hearing, the Board of Adjustment makes the following FINDINGS OF FACT:

- (1) Conditions and Specifications. That the application filed as a Special Use Permit for Parcel 04819 meets all of the required conditions and specifications of the Zoning Ordinance and policies of the Town for a submission of a Special Use Permit.
- (2) Notice. That those persons owning property adjacent to the proposed development or use, as listed on the current tax records, were served notice of the public hearing by mail in accordance with applicable requirements; and that notice of public hearing to consider the Special Use Permit was published on July 5, 2024 and July 10, 2024 in the Daily Reflector, a newspaper having general circulation in the area, and required by law.
- (3) To hear and decide, in particular cases, and subject to appropriate conditions and safeguards, permits for special uses as authorized by Article VI. In granting a Special Use Permit, the Board shall make the following affirmative findings:
 - a) The Use requested is among those listed as an eligible Special Use in the district in which the subject property is located;
 - b) That the Special Use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed;
 - c) That the Special Use meets all required conditions and specifications:
 - a. No multi-family dwellings or series of attached single-family, multi-family buildings or other such arrangements shall exceed a length of one hundred fifty (150) feet when measured along the longest axis of the building or series of attached units when placed in a theoretical straight alignment.
 - b.
 1. No multi-family development shall contain more than twenty (20) dwelling units unless the development shall have frontage along and direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan.
 2. No multi-family development shall contain more than sixty (60) dwelling units unless the development shall have frontage along and direct access on two major or minor thoroughfares or combinations thereof as shown on the Thoroughfare Plan.

3. Any multi-family development with more than 100 dwelling units shall meet the requirements of 2 above and shall submit a certified traffic engineering report evaluating the capability of the adjoining street system to carry the traffic generated by the development.
- c. An individual multi-family building, two family dwelling or a single series of attached dwelling units to be located on an individual lot shall be developed in accordance with the area, yard and height requirements of the district in which located the same as any other individual building on an individual lot. Provided that in the AR and R-8 zoning districts, two-family dwellings within a subdivision shall only be permitted on a corner lot. The conveyance of ground space for single-family attached units or for common area or similar purposes shall not preclude development under this subsection. Such conveyances however shall be subject to the requirements of the Subdivision Ordinance and may be subject to the North Carolina Unit Ownership Act.
- d. In any case where more than one multi-family building, more than one two-family dwelling or more than one series of attached dwelling units are proposed to be constructed on one lot, such development shall be in conformance with the following residential group development standards:
1. Site Plan. No zoning permit or building permit shall be issued for any construction in a group residential development except in accordance with a site plan approved by the Planning Board, in accordance with the standards herein. In any case where land is to be dedicated in a group residential development, a Subdivision Plan may be required by the Subdivision Ordinance. Developments that are proposed to be developed under the North Carolina Unit Ownership Act shall meet the requirements of that Act by recording the declaration and plan with the Register of Deeds. Where land is to be conveyed in accordance with such declaration and plan, the developer shall first comply with the Subdivision Ordinance.
 2. Density. The number of dwelling units per unit of land area shall not exceed the number of dwelling units per unit of land area permitted in the district in which the development is located. Fractional units above one-half (1/2) may be rounded to the next highest number once the basic number of units exceeds twenty (20).
 3. Yard Requirements. The following yard requirements are hereby established:
 - (a) Exterior. Along each exterior property line or public street, the minimum front, rear and side yard setback of the Zoning District shall be maintained.
 - (b) Interior. For each building erected along a private street or accessway, a minimum setback of twenty (20) feet shall be maintained from the nearest edge of street or accessway pavement.
 - (c) Distance Between Buildings. A distance of at least twenty (20) feet shall be maintained between all buildings within the development.

4. Street or Accessways. All private streets or accessways providing ingress and egress from the development to an existing public street system shall comply with the current standards being required by the subdivision regulations then in effect, including street drainage, except that no curb and gutter is required and a pavement width of only 20 feet shall be required.
5. Sidewalks. Sidewalks shall be installed in the same manner and under the same criteria as that established in the Subdivision Regulations.
6. Storm Drainage Improvements. Storm drainage improvements shall be made in the same manner and under the same criteria as that established in the Subdivision Regulations.
7. Sanitary Containers. Stationary sanitary containers shall be located so as not to interfere with sight distance or the free movement of vehicles on streets or service drives and so as to allow collector trucks adequate maneuvering space to empty the containers and to leave the property without excessive backing. Concrete pads in conformance with the public works department's stationary container location standards shall be located beneath of and in the approach to each stationary sanitary container.

d) That the Special Use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

e) That the location and character of the Special Use if developed according to the plan as proposed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town and its environs.

WHEREAS, The Board of Adjustment did find in favor of the applicant by an affirmative vote on all of the criteria listed above.

NOW, THEREFORE, based on the facts found above and in consideration of all other evidence presented at the public hearing; the Board of Adjustment did vote to approve the Special Use Permit and thus orders that the Special Use Permit be:

 X Approved

The decision of this Board may be appealed to the Superior Court in accordance with the provisions of North Carolina General Statute §160A-388 and §160A-393.

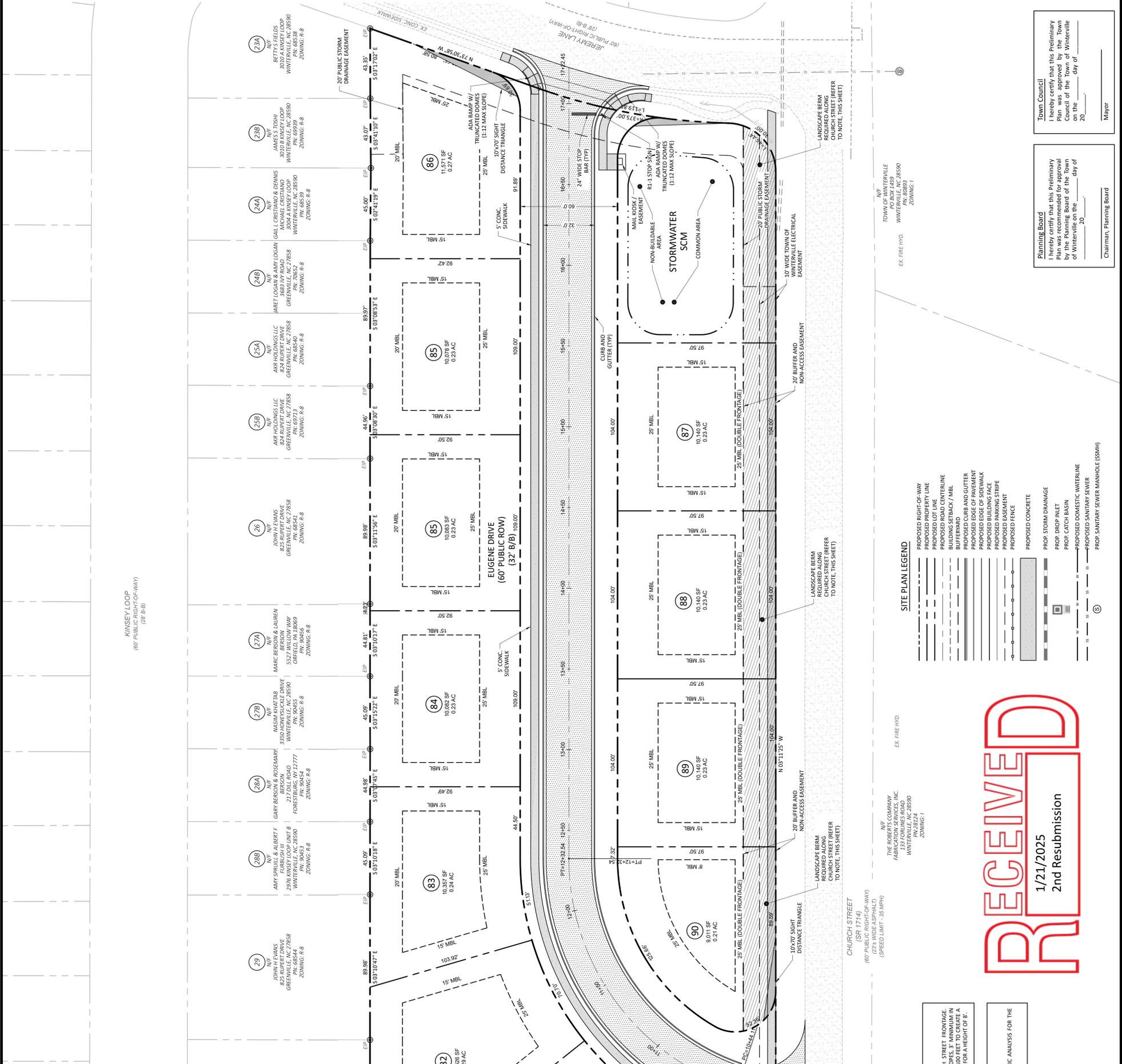
Ordered this the 16th day of July, 2024.



 Jeffrey E. Briley, Chairman



 Stephen Penn, Director of Planning and Economic Development



REVISIONS	
1	REVISED PER TOWN TRC COMMENTS 11/27/2024
2	REVISED PER TOWN TRC COMMENTS 01/15/2025

CONTRACTOR	
J.C. HAZELTON BUILDERS, LLC 105 OAKMONT DRIVE, SUITE D GREENVILLE, NC 27858 PHONE: 252-702-1910 WWW.JCHAZELTONBUILDERS.COM EMAIL: CLARK@JCHAZELTONBUILDERS.COM	
LANDOWNER / CLIENT	
2020 GLOBAL INVESTMENTS, LLC 3412 FLORA DRIVE WINTERVILLE, NC 28590	
EXISTING PROPERTY DATA	
PROJECT NAME	CARROLL CROSSING - SECTION 4
SITE ADDRESS	0 CHURCH STREET WINTERVILLE, NC 28590
PIN #	4674-56-0889
PARCEL NUMBER	4819
PARCEL AREA	4.139 ACRES
COUNTY	PITT
PLANNING JURISDICTION	TOWN OF WINTERVILLE
TOWNSHIP	WINTERVILLE
EXISTING ZONING	R-8 CONDITIONAL
EXISTING LAND USE	VACANT
CURRENT DEED	DB 4875 PG 363
PLAT REFERENCE	MB 45 PG 44
FEMA FLOOD INSURANCE MAP	37204674001 01/02/2004
FEMA FLOODZONE	ZONE XE
RIVER BASIN	NEUSE
RECEIVING STREAM	UNNAMED TRIBUTARY (UT) TO SWIFT CREEK STREAM INDEX - 27-97-(0.5) CLASSIFICATION - C5W-NSW (NEUSE RIVER)

EXISTING CONDITIONS SHOWN ON PLANS WITHIN LIMITS OF TOPOGRAPHIC SURVEY LINE TAKEN FROM BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY SORRELL LAND SURVEYING, INC.	
1.	EXISTING CONDITIONS SHOWN ON PLANS WITHIN LIMITS OF TOPOGRAPHIC SURVEY LINE TAKEN FROM BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY SORRELL LAND SURVEYING, INC.
2.	ALL OTHERS EXISTING CONDITIONS SHOWN ON THE PLANS WERE TAKEN FROM PITT COUNTY GIS AND ARE NOT THE RESULT OF A BOUNDARY OR TOPOGRAPHIC SURVEY UNLESS SPECIFICALLY STATED OTHERWISE.
EXISTING NATURAL FEATURES:	
1.	THIS PROPERTY LIES WITHIN THE NEUSE RIVER BASIN.
2.	THIS PROPERTY IS LOCATED IN ZONE XE AREAS OUTSIDE THE 1% ANNUAL FLOOD HAZARD ZONE (AHZ) TO FLOOD HAZARD MAP NUMBER 37204674001, DATED 01/02/2004.
3.	THIS PROPERTY DRAINS TO AN UNNAMED TRIBUTARY (UT) OF SWIFT CREEK WHICH IS A NAMED TRIBUTARY OF THE NEUSE RIVER.

CLIENT:

J.C. HAZELTON BUILDERS
105 OAKMONT DRIVE,
SUITE D
GREENVILLE, NC 27858

PROPERTY AND DEVELOPMENT DATA	
SITE INFORMATION TABLE	
PROPOSED LAND USE	SINGLE-FAMILY AND TWO-FAMILY DWELLINGS
EXISTING PARCEL AREA	4.1934 ACRES
PROPOSED RIGHT-OF-WAY AREA	0.9584 ACRES
NET PARCEL AREA	3.2354 ACRES
DIMENSIONAL REQUIREMENTS (R-8)	
SINGLE-FAMILY	
MIN. LOT AREA	8,000 SF
MIN. LOT WIDTH	70 FEET
FRONT YARD SETBACK	25 FEET
SIDE YARD SETBACK	8 FEET
REAR YARD SETBACK	20 FEET
MAXIMUM HEIGHT	35 FEET
TWO-FAMILY	
MIN. LOT AREA	10,000 SF
MIN. LOT WIDTH	80 FEET
FRONT YARD SETBACK	25 FEET
SIDE YARD SETBACK	15 FEET
REAR YARD SETBACK	20 FEET
MAXIMUM HEIGHT	35 FEET

PRELIMINARY PLAT

TOWN OF WINTERVILLE, NORTH CAROLINA

SECTION 4

CARROLL CROSSING

PRELIMINARY PLAT

DESIGN STANDARD NOTES:	
1.	THIS PROJECT WILL CONNECT TO THE TOWN OF WINTERVILLE PUBLIC WATER SYSTEM.
2.	THIS PROJECT WILL CONNECT TO THE TOWN OF WINTERVILLE PUBLIC SEWER SYSTEM.
3.	THIS PROJECT LIES WITHIN THE TOWN OF WINTERVILLE'S PLANNING AND ZONING JURISDICTION AND IS SUBJECT TO THE REGULATIONS SET FORTH IN THE TOWN OF WINTERVILLE.
4.	THIS PROJECT WILL DISTURB MORE THAN 1 ACRE OF LAND. THEREFORE, THIS PROJECT WILL REQUIRE EROSION CONTROL PLAN APPROVAL.
5.	THIS PROJECT WILL REQUIRE A STORMWATER PERMIT FROM THE TOWN OF WINTERVILLE.
6.	THIS PROJECT WILL REQUIRE A NCDOT ENDOCHMENT PERMIT FOR THE ROADWAY CONNECTION ONTO CHURCH STREET (SR 1714).
7.	THIS PROJECT WILL REQUIRE AN NCDOT ENDOCHMENT AGREEMENT FOR WORK PERFORMED IN THE CHURCH STREET (SR 1714) RIGHT-OF-WAY.
8.	LOT 90 WILL CONTAIN ONE "SINGLE-FAMILY DETACHED HOME" AND IS NOT PERMITTED TO HAVE A "TWO-FAMILY ATTACHED UNIT".
9.	ALL DUREXES SHALL HAVE BRICK FACADES AS REQUIRED BY THE CONDITIONS OF THE R-8 CD ZONING DISTRICT.
10.	A SPECIAL USE PERMIT (SUP) WAS APPROVED BY THE WINTERVILLE BOARD OF ZONING ADJUSTMENTS FOR THE PROPOSED DEVELOPMENT. THIS DEVELOPMENT MUST BE IN ACCORDANCE WITH THE APPROVED CONDITIONS FROM THE SUP.
11.	A HYDRAULIC ANALYSIS SHALL BE PREPARED ON THE PROPOSED WASTEWATER MAIN EXTENSION AND APPROVED BY THE TOWN OF WINTERVILLE PRIOR TO CONSTRUCTION PLAN APPROVAL.
12.	FEES IN LIEU OF RECREATION SPACE WILL BE PROVIDED FOR THIS SUBDIVISION.
13.	ALL LOT LINES SHALL BE SUBJECT TO A 10' UTILITY EASEMENT CENTERED ON THE LOT LINE.

NOTE:
WHERE TWO FAMILY DWELLINGS IN THE FORM OF SINGLE FAMILY ATTACHED DWELLINGS ARE PROPOSED, THE DEVELOPER SHALL PROVIDE THE MINIMUM REQUIRED LOT AREA AND MEET THE MINIMUM YARD REQUIREMENTS EXCEPT WHERE ATTACHED.

LANDSCAPE BERM NOTE:
EARTHEN BERMS REQUIRED ALONG LENGTH OF CHURCH STREET FRONTAGE. BERMS SHALL BE 20" MINIMUM WIDTH, 3:1 MAXIMUM SLOPES, 3' MINIMUM IN HEIGHT AND PLANTED WITH 25 EVERGREEN SHRUBS PER 100 FEET TO CREATE A COMPLETE VISUAL BARRIER WITHIN 5 YEARS OF PLANTING FOR A HEIGHT OF 8'.

FIRE FLOW / HYDRAULIC ANALYSIS NOTE:
THE DEVELOPER SHALL SUBMIT A FIRE FLOW / HYDRAULIC ANALYSIS FOR THE SUBDIVISION WITH THE CONSTRUCTION PLANS.

SITE PLAN LEGEND

- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- PROPOSED ROAD CENTERLINE
- BUILDING SETBACK / MBL BUFFER
- PROPOSED CURB AND GUTTER
- PROPOSED EDGE OF PAVEMENT
- PROPOSED PARKING STRIP
- PROPOSED EASEMENT
- PROPOSED FENCE
- PROPOSED CONCRETE
- PROP. STORM DRAINAGE
- PROP. DROP INLET
- PROP. CATCH BASIN
- PROPOSED DOMESTIC WATERLINE
- PROPOSED SANITARY SEWER
- PROP. SANITARY SEWER MANHOLE (SSMH)

SEAL
087488
02/15/2025

SCALE: 1"=30'

HORIZONTAL SCALE: 1"=30'

VERTICAL SCALE: N/A

DATE: 09/23/2024

SHEET NUMBER: C-2.0

Planning Board
I hereby certify that this Preliminary Plan was recommended for approval by the Planning Board of the Town of Winterville on the _____ day of _____, 20____.

Town Council
I hereby certify that this Preliminary Plan was approved by the Town Council of the Town of Winterville on the _____ day of _____, 20____.

Chairman, Planning Board _____ Mayor _____

RECEIVED

1/21/2025
2nd Resubmission



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 10, 2025

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Termination of AW Ange Trust.

Action Requested: Approval of Request to Terminate AW Ange Trust and Approve for Town Manager to Sign Associated Waiver.

Attachment: Attachments – AW Ange Documents Including Waiver.

Prepared By: Terri L. Parker, Town Manager

Date: 3/3/2025

ABSTRACT ROUTING:

TC: 3/3/2025

TM: 3/3/2025

Final: tlp - 3/3/2025

Supporting Documentation

Stephane Portell on behalf of Larry Moye of Womble Bond Dickinson (US) LLP as counsel for Wells Fargo Bank, Trustee of the A. W. Ange Trust emailed me recently (copy of email attached). The Town of Winterville receives annual distributions from the Trust. Given the size of the Trust and administrative expenses, Wells Fargo has determined that it is in the best interests of the beneficiaries to terminate the Trust and distribute assets outright to the respective beneficiaries.

Staff recommends that Council approve the termination of the Trust and authorize the Town Manager to sign the associated waiver.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve the Request to Terminate AW Ange Trust and Approval for Town Manager to Sign Associated Waiver.

Terri Parker

From: Law Offices of E. Keen Lassiter <ekllawoffice@yahoo.com>
Sent: Monday, March 03, 2025 11:35 AM
To: Terri Parker
Subject: Fw: A. W. Ange Trust
Attachments: WF - Ange Trust - Petition to Terminate.pdf; AW Ange Trust - Governing Docs.pdf; WF - Ange Trust - Town of Winterville - Waiver of Right to Respond and Consent.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Be Advised: This email originated from outside of the Town of Winterville, NC

Terri,

Attached hereto, please find the Petition to Terminate and Waiver of Right to Respond and Consent regarding the A.W. Ange Trust that we discussed last Friday. Also attached are the governing documents for the trust. Call me with any questions.

Thanks,
Keen

Law Offices of E. Keen Lassiter, P.A.
102-C Regency Boulevard
Greenville, NC 27834
Post Office Box 2636
Winterville, NC 28590
(252) 355-1135 Telephone

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Terri Parker

From: Portell, Stephanie <Stephanie.Portell@wbd-us.com>
Sent: Monday, February 10, 2025 3:13 PM
To: Terri Parker
Subject: A. W. Ange Trust and Town of Winterville

Be Advised: This email originated from outside of the Town of Winterville, NC

Good afternoon, Ms. Parker.

I write on behalf of Larry Moye of Womble Bond Dickinson (US) LLP as counsel for Wells Fargo Bank, Trustee of the A. W. Ange Trust. The town of Winterville receives annual distributions from the Trust. Given the size of the Trust and administrative expenses, Wells Fargo has determined that it is in the best interests of the beneficiaries to terminate the Trust and distribute assets outright to the respective beneficiaries. We expect this should be welcome and good news.

I spoke with Jessica Manning some time ago, and she advised me that you have authority to sign legal documents to allow a Court to grant the termination and distribution. We've been trying to schedule a call for you to speak with Larry's associate, Sarah Warren, to go over the details and the process. I can no longer reach Jessica, and your assistant, Cynthia, has a full voicemail box. Could you give me a call at your convenience to get you on Sarah's calendar?

Your prompt response is much appreciated.

Warmest regards,
Stephanie

Stephanie Portell
Legal Practice Assistant
Womble Bond Dickinson (US) LLP

d: 919-755-8160
e: Stephanie.Portell@wbd-us.com

555 Fayetteville Street
Suite 1100
Raleigh, NC 27601



womblebonddickinson.com



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Governing Instrument

Account:1013002947 (ANGE,A.W.)



Account Number: 1013002947
Document Type: GI
Document Description: Governing Instrument
User: A245132
Printed on: 9/5/2007 1:15:32PM
Instructions: 1) Place this Barcode Separator sheet over the document(s).
2) This Barcode Separator sheet may be filed by the document for easy

This side up; this edge first ----->

SS344-7

10/30/29 47
Gov. 2nd
115-2

Governing instrument

NORTH CAROLINA
PITT COUNTY

I, A. W. Ange, of the Town of Winterville in Pitt County, North Carolina, being of sound mind and memory but ever mindful of the uncertainty of this earthly life, and desiring to make a disposition of all my property and estate as of the date of my death, do hereby make, publish and declare this instrument to be my Last Will and Testament, hereby revoking and declaring null and void any and all Wills and Testaments, and Codicils, at any time heretofore made by me, which is to say:

Item 1. I direct my executor hereinafter named to pay all of my just debts out of the first money coming into the hands of my executor, including any and all estate and inheritance taxes chargeable against my estate, my funeral expenses, and other lawful claims and debts, if any, and to erect at my grave a grave-stone or marker suitable to the wishes of my immediate family, and to pay for the same. In the payment of any estate and inheritance taxes assessed against my estate, I direct that my executor shall pay the same from my estate as a whole and that said taxes shall not be pro-rated and charged against the share or interest of any legatee or devisee named herein.

Item 2. I give and bequeath to Mrs. Jessie Williams Ange the sum of one thousand dollars (\$1,000.00).

Item 3. I wish to state that I have heretofore given to the Atlantic Christian College of Wilson, North Carolina, the sum of Seven Thousand Dollars (\$7,000.00) for the fund to be known and designated as "The A. W. Ange Loan Fund." I now give and bequeath, subject to the further provisions of this item of my Will, to the Atlantic Christian College located at Wilson, North Carolina, the further sum of Three Thousand Dollars (\$3,000.00), which shall be added to and made a part of the "A. W. Ange Loan Fund", and the said fund shall be administered by the board of trustees of said college and used exclusively and only for the following purposes: The said loan fund and all accretes thereto shall be loaned from time to time, in the discretion of said board of trustees, to worthy students attending said college for the purpose of enabling such students to get an education, the said loans to be made for such periods of time as the said board of trustees may elect at interest not exceeding three per centum per annum, and to be paid, with interest, at maturity. It is my request that the said board of trustees use diligence in making said loans, in taking ample

paid \$1,000.00 on Aug 4 1959

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security for the re-payment of said loans, and in the collection of all loans so made. However, this bequest is conditioned as follows: Any and all voluntary gifts and donations which I may make during my lifetime from and after the date of this will to said college for "The A. W. Ange Loan Fund" shall be deducted from the bequest of \$3,000.00 herein made to said college for said loan fund, and my executor shall pay over to said college under this bequest only the difference between the amount of the total gifts made by me to said fund from and after this date during the remainder of my lifetime and \$3,000.00, it being my intention that all gifts made by me to said college for the said fund from and after this date and during the remainder of my lifetime shall be considered as a part of the bequest of \$3,000.00 made in this item of my Will.

Item 4. I give and bequeath to my daughter, Fannie Mae Ange, the sum of Fifteen Thousand Dollars (\$15,000.00) in trust for the following uses and purposes: To invest the same and use the interest and income therefrom, and the corpus thereof, for the proper maintenance, support and comfort of my sister, Mrs. Myrtle Ange Waters, during her lifetime. My said trustee shall use her sound discretion in the investment of any part or all of this bequest, but if invested by her, she is cautioned to invest the same soundly, and she shall also use her discretion in the amount of said fund and the interest which she will advance to and for the use of my said sister from time to time for her maintenance, support and comfort, but it is my desire that my said trustee shall, from time to time, pay to my said sister or for her use and benefit such amounts as she may need, in the discretion of my trustee, for her said maintenance, support and comfort. Any residue of this trust fund remaining in the hands of my trustee at the death of my said sister shall be distributed as a part of my residuary estate under the provisions of Item 9 of my Will.

Item 5. I give and bequeath to my daughter, Fannie Mae Ange, the sum of Ten Thousand Dollars (\$10,000.00) in trust for the following uses and purposes: To invest the same and use the interest and income therefrom as well as the principal for the education of the children of Arthur Ange, or such of said children as may attend college. My said trustee shall use her sound discretion in the investment of any part or all of this fund, but if invested by her, she is cautioned to invest the same soundly, and she shall also use her discretion in the amount of said fund which she will use for the education of said children, or any of them. Any residue of said trust fund remaining in the hands of my

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trustee after the youngest of said children in being or in esse at the time of my death shall attain the age of twenty-four years, shall be distributed as a part of my residuary estate under the provisions of Item 9 of my Will.

Item 6. I give and bequeath to the Winterville Christian Church, of Winterville, North Carolina, the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to be used, if the governing body of said church so desires, for the purpose of purchasing and installing chimes in said church.

Item 7. I give and bequeath to the Winterville Missionary Baptist Church, of Winterville, North Carolina, the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to be used, if the governing body of said church so desires, for the purpose of purchasing and installing chimes in said church.



Item 8. I give and bequeath to the Guaranty Bank and Trust Company, of Greenville, North Carolina, in trust for the purposes hereinafter in this item of my Will set forth, the following properties: Two Hundred shares of stock of the Guaranty Bank and Trust Company; Two Hundred shares of stock of the Wachovia Bank and Trust Company; Two Hundred shares of stock of the Jefferson Standard Life Insurance Company; One Thousand shares of stock of the Occidental Life Insurance Company; and One Thousand shares of stock of the Peninsula Life Insurance Company.

(a). My trustee shall hold and retain the custody of said stock and shall vote said stock at all stockholders meetings, and receive and collect the dividends and income therefrom, including dividends paid in stock.

(b). From the income therefrom, and subject to the provisions of subsection (e) of this item, my trustee shall pay over the sum of \$100.00 annually to the proper authorities for the upkeep and maintenance of the Community Building in the Town of Winterville, North Carolina.

(c). From the income therefrom, and subject to the provisions of subsection (e) of this item, my trustee shall pay to the Winterville Christian Church annually the sum of \$200.00, the same to be used by the governing body of said church for such purposes as they may deem necessary.

(d). To pay over the balance of the income therefrom annually to the Atlantic Christian College of Wilson, North Carolina, and designated and known as the "Hugh Ange Memorial Fund" and used under authority of the governing body of said college for the purpose of giving financial assistance to worthy

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students attending said college and who shall be studying at said college for the Ministry, under such plan and program as said college may, in its discretion elect to make.

(e). In the event that the income of this trust shall not exceed the sum of Six Hundred Dollars (\$600.00) any year, then and in that event one-half of said income shall be paid to the Atlantic Christian College for that year under the provisions and for the purposes set forth in sub-section (d) of this Item of my Will, and the remaining one-half part of said income for that year shall be divided and paid as follows: a one-third part of said half part shall be paid for the upkeep and maintenance of the Community Building in Winterville, North Carolina, under the provisions of sub-section (b) of this item, and the remaining part of said half part shall be paid for that year to the Winterville Christian Church as provided in sub-section (c) of this item. But if the income therefrom shall exceed \$600.00 each and every year, then said income shall be paid and distributed in accordance with the provisions of sub-sections (b), (c) and (d) of this item.

Item 9. The residue of my entire estate of every kind and character, real and personal, and wherever to be found or located, not otherwise disposed of by me in the prior items of my Will, and including any residue over and from any of the former items of my Will as herein provided, I give, devise and bequeath to my three children, namely, Fannie Mae Ange, Louise Ange White, and Myrtle Ange Black, each of them to have an equal interest therein; provided, however, if any of my said children should die prior to my death leaving issue surviving, or leaving a legally adopted child or children surviving, or leaving both issue and legally adopted child or children surviving, then the issue and/or the legally adopted children or child of such deceased child of mine shall have and receive the share or interest of such deceased child of mine in my residuary estate per stirpes; but, if any such deceased child of mine shall leave no issue surviving her, nor legally adopted children, then the share or interest of such deceased child of mine shall go to and vest in my surviving children share and share alike.

Item 10. I name and appoint the Guaranty Bank and Trust Company of Greenville, North Carolina, as my lawful executor.

this the 15 day of July, 1958.

Chas. George (SEAL)

[Signature]
Witness

[Signature]
Witness

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NORTH CAROLINA
PITT COUNTY

C O D I C I L

I, A. W. Ange, of the Town of Winterville in Pitt County, North Carolina, do hereby make this codicil to my will hereto attached which is dated the 18th day of July, 1958.

I do hereby revoke the first paragraph of Item 8 of my said former will, but not sub-sections (a), (b), (c), (d) and (e) thereof, and in lieu of the first paragraph of Item 8 thereof I make as a part of my said will, the following:

I give and bequeath to the Wachovia Bank and Trust Company in trust for the purposes set forth in sub-sections (a), (b), (c), (d) and (e) the following properties: One Thousand (1000) shares of stock of the Wachovia Bank and Trust Company; Five Hundred (500) shares of stock of the Jefferson Standard Life Insurance Company; One thousand (1000) shares of stock of the Occidental Life Insurance Company; and One Thousand (1000) shares of stock of the Peninsula Life Insurance Company.

I also revoke Item 10 of my said will and in lieu thereof I do now name and appoint the Wachovia Bank and Trust Company of Greenville, North Carolina, as and for my lawful executor.

IN WITNESS WHEREOF, I, the said A. W. Ange, have hereunto set my hand and seal, this the 21 day of May, 1960.

A. W. Ange (SEAL)

C. D. Manning, Witness.

_____, Witness.

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NORTH CAROLINA
PITT COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
Before the Clerk

Wachovia Bank and Trust Company, N. A.,
Trustee under the will of A. W. Ange,
deceased, Petitioner,

vs.

ORDER

Atlantic Christian College, Winterville
Community Building and Winterville Christian
Church, and L. H. Ellis, Lloyd Worthington
and Asa Moore, Trustees of the Winterville
Christian Church, Respondents

This proceeding coming on to be heard before Honorable H. L. Lewis, Jr.,
Clerk of the Superior Court of Pitt County, and being heard on the 23 day of
July, 1970, and the Court finding facts as follows:

1. That the petitioner, Wachovia Bank and Trust Company, N. A., is the
duly constituted and appointed successor trustee to Guaranty Bank and Trust
Company, the trustee under the will of A. W. Ange, deceased, late of Pitt County,
North Carolina, the said Guaranty Bank and Trust Company having been named as
trustee in the said Last Will and Testament of A. W. Ange, deceased, duly pro-
bated and recorded in Will Book 11 at page 432 in the Office of the Clerk of the
Superior Court of Pitt County, North Carolina.

2. That the defendants Atlantic Christian College, Winterville Community
Building, Winterville Christian Church, and L. H. Ellis, Lloyd Worthington and
Asa Moore, Trustees of the Winterville Christian Church, have been properly
served with a copy of the petition and summons and are properly before the
Court; that the Atlantic Christian College only has filed a response or reply to
the petition and that none of the allegations of the petition have been contro-
verted by the defendant, Atlantic Christian College; that a period of more than
ten days has transpired since the summons and petition in this proceeding were
served on each of the other defendants and that no answer, reply or other plead-
ing has been filed to the petition, and that no extension of time has been
granted or demanded for pleading thereto and the statutory time for answering or
otherwise pleading to the petition has expired.

3. That under Item 8 of the said Last Will and Testament of A. W. Ange,
testator, 200 shares of stock of Guaranty Bank and Trust Company, 200 shares of
stock of Wachovia Bank and Trust Company, 200 shares of stock of Jefferson

Standard Life Insurance Company, 1000 shares of stock of Occidental Life Insurance Company and 1000 shares of stock of Peninsula Life Insurance Company were bequeathed to Guaranty Bank and Trust Company in trust for the uses and purposes set forth in sections (a), (b), (c), (d) and (e) of Item 8 of said Last Will and Testament, which appears of record in Will Book 11 at page 432 in the Office of the Clerk of the Superior Court of Pitt County; that the trustee under the terms of said will was authorized and directed to distribute the dividends and income from said stocks so held in trust by it annually as follows: \$100.00 for the maintenance and upkeep of the Community Building in Winterville; \$200.00 to the Winterville Christian Church; and the balance to the Atlantic Christian College of Wilson, North Carolina, but subject to the terms and provisions of Section (e) of Item 8 in the event that the income therefrom did not exceed \$600.00 in a year.

4. That the shares of stock bequeathed to said trustee under Item 8 of said Last Will and Testament of the said A. W. Ange at the present time consists of 806 shares of Wachovia Corporation, having a par value of \$5.00 per share; 625 shares of Peninsula Life Insurance Company, having a par value of \$5.00 per share; 1250 shares of Occidental Life Insurance Company, having a par value of \$1.00 per share; and 1000 shares of Jefferson-Pilot Corporation, having a par value of \$2.50 per share.

5. That the dividend income from said shares of stock at the present time and for a considerable time in the past is not and has not been representative of a fair income produced by other investments and the Court is of the opinion and so finds that it will be for the best interests of the three beneficiaries named in Item 8 of the Last Will and Testament of the said A. W. Ange, namely, the Community Building of Winterville, the Winterville Christian Church and the Atlantic Christian College of Wilson, North Carolina, if the trustee be authorized and directed to sell said stocks in the usual course of trade and to invest the proceeds arising therefrom in units of a balanced common trust fund of Wachovia Bank and Trust Company, N. A., or other lawful investments.

IT IS, THEREFORE, considered, ordered and adjudged by the Court that the Wachovia Bank and Trust Company, N. A., trustee under the Last Will and Testament of A. W. Ange, deceased, late of Pitt County, North Carolina, and more particularly Item 8 thereunder, be and it is hereby authorized and empowered to sell forthwith, but in the discretion of the trustee as to the time of sale to the

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end that the best possible price may be obtained for said stock, the 806 shares of stock of Wachovia Corporation.

That the said Wachovia Bank and Trust Company, N. A., trustee as aforesaid, be and it is further authorized and empowered to sell at such time or times as such trustee, in its discretion, may deem to be the best or proper time to obtain the highest possible price for the 625 shares of stock of Peninsula Life Insurance Company, the 1250 shares of stock of Occidental Life Insurance Company and the 1000 shares of stock of Jefferson-Pilot Corporation.

And it is further ordered and adjudged by the Court that the Wachovia Bank and Trust Company, N. A., trustee as aforesaid, be and it is hereby authorized, empowered and directed to invest the proceeds arising from the sale of said stocks in units of the balanced common trust fund of Wachovia Bank and Trust Company, N. A., or in other lawfully authorized investments in the discretion of said trustee and that said trust fund be administered for the benefit of the three beneficiaries named in Item 8 of the said Last Will and Testament of A. W. Ange, deceased, and in accordance with the terms and provisions thereof.


Clerk Superior Court, Pitt County

NORTH CAROLINA
PITT COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK

Wachovia Bank & Trust Company, N. A.,
Trustee under the Will of A. W. Ange,
deceased, Petitioner

vs.

PETITION

Atlantic Christian College, Winterville
Community Building, and Winterville
Christian Church, and L. H. Ellis, Lloyd
Worthington & Asa Moore, Trustees of the
Winterville Christian Church, Respondents

TO HONORABLE H. L. LEWIS, JR., CLERK OF THE SUPERIOR COURT OF PITT COUNTY:

Your petitioner, Wachovia Bank & Trust Company, N. A., Trustee under the
Will of A. W. Ange, deceased, late of Pitt County, North Carolina, respectfully
shows unto the Court:

1. That your petitioner, Wachovia Bank & Trust Company, N. A., is the duly
constituted and appointed successor trustee to Guaranty Bank & Trust Company,
trustee, under the will of A. W. Ange, deceased, late of Pitt County, North
Carolina, the said Guaranty Bank & Trust Company having been named as Trustee
in said Last Will and Testament which has been duly probated in Pitt County and
recorded in Will Book 11 at page 432 in the Office of the Clerk of the Superior
Court of Pitt County.

2. That the respondent, Atlantic Christian College, is a corporation
organized and existing under the laws of the State of North Carolina and having
its college plant and principal office in the City of Wilson, Wilson County,
North Carolina; that the respondent, Winterville Christian Church is an unin-
corporated religious organization and is located in the Town of Winterville,
Pitt County, North Carolina, and that L. H. Ellis, Lloyd Worthington and Asa
Moore are the duly elected and acting trustees of said Church.

3. That the Winterville Community Building is an unincorporated eleemosy-
nary and civic organization and is located in the Town of Winterville, Pitt
County, North Carolina.

4. That A. W. Ange, deceased, late of Pitt County, North Carolina, died
testate during the month of November, 1961, and his Last Will and Testament was
duly probated in common form in the Superior Court of Pitt County on November
13, 1961, and recorded in Will Book 11 at page 432 et seq. in the Office of the
Clerk of the Superior Court of said County. That in Item 8 of said Will and

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Testament, the Testator bequeathed certain corporate stocks to the Guaranty Bank & Trust Company in trust for the use and benefit of the several respondents hereinabove named. That Item 8 of said Last Will and Testament, including sub-sections (a), (b), (c), (d) and (e) thereunder, are as follows:

Item 8. I give and bequeath to the Guaranty Bank and Trust Company, of Greenville, North Carolina, in trust for the purposes hereinafter in this item of my Will set forth, the following properties: Two Hundred shares of stock of the Guaranty Bank and Trust Company; Two Hundred shares of stock of the Wachovia Bank and Trust Company; Two Hundred shares of stock of the Jefferson Standard Life Insurance Company; One Thousand shares of stock of the Occidental Life Insurance Company; and One Thousand shares of stock of the Peninsula Life Insurance Company.

(a). My trustee shall hold and retain the custody of said stock and shall vote said stock at all stockholders meetings, and receive and collect the dividends and income therefrom, including dividends paid in stock.

(b). From the income therefrom, and subject to the provisions of sub-section (e) of this item, my trustee shall pay over the sum of \$100.00 annually to the proper authorities for the upkeep and maintenance of the Community Building in the Town of Winterville, North Carolina.

(c). From the income therefrom, and subject to the provisions of sub-section (e) of this item, my trustee shall pay to the Winterville Christian Church annually the sum of \$200.00, the same to be used by the governing body of said church for such purposes as they may deem necessary.

(d). To pay over the balance of the income therefrom annually to the Atlantic Christian College of Wilson, North Carolina, and designated and known as the "Hugh Ange Memorial Fund" and used under authority of the governing body of said college for the purpose of giving financial assistance to worthy students attending said college and who shall be studying at said college for the Ministry, under such plan and program as said college may, in its discretion elect to make.

(e). In the event that the income of this trust shall not exceed the sum of Six Hundred Dollars (\$600.00) any year, then and in that event one-half of said income shall be paid to the Atlantic Christian College for that year under the provisions and for the purposes set forth in sub-section (d)

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of this Item of my Will, and the remaining one-half part of said income for that year shall be divided and paid as follows: a one-third part of said half part shall be paid for the upkeep and maintenance of the Community Building in Winterville, North Carolina, under the provisions of sub-section (b) of this item, and the remaining part of said half part shall be paid for that year to the Winterville Christian Church as provided in sub-section (c) of this item. But if the income therefrom shall exceed \$600.00 each and every year, then said income shall be paid and distributed in accordance with the provisions of sub-sections (b), (c) and (d) of this item.

5. That your petitioner, Wachovia Bank & Trust Company, N. A., is now the lawfully constituted and acting trustee of said trust created under Item 8 of said Last Will and Testament.

6. That the shares of stock bequeathed to the trustee under Item 8 of said Last Will and Testament at the present time consists of 806 shares of Wachovia Corporation having a par value of \$5.00 per share; 625 shares of Peninsula Life Insurance Company having a par value of \$5.00 per share; 1250 shares of Occidental Life Insurance Company having a par value of \$1.00 per share; and 1000 shares of Jefferson-Fibot Corporation having a par value of \$2.50 per share.

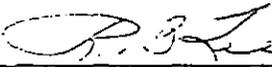
7. That your petitioner is advised and believes and upon such information and belief alleges that it was the purpose and intention of the said A. W. Ange in establishing said trust to provide for the beneficiaries of said trust at least an annual income of \$600.00 or more from the dividends declared on said stock but that said stock has failed and continues to fail to produce an income in keeping with income from other investments; moreover, the Comptroller of the currency has advised the trustee that the stock held by it in Wachovia Corporation cannot be lawfully administered by said trustee in its present form, and your petitioner verily believes and upon such information and belief alleges that it will be for the best interest of all parties interested in said trust estate and especially the three beneficiaries named therein if the trustee be authorized to sell said stock in the usual course of trade and to invest the proceeds thereof in units of the balanced common trust fund of the Wachovia Bank & Trust Company, N. A. Your petitioner is further advised and believes and upon such information and belief alleges that the stock consisting of 806 shares in Wachovia Corporation should be sold at the present time but that the other stock consisting of 625 shares in Peninsula Life Insurance Company, 1250

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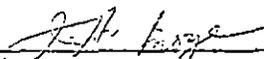
Shares in Occidental Life Insurance Company, and 1000 shares in Jefferson-Pilot Corporation, should be sold in the discretion of the trustee at such time as the trustee believes that said stock would yield the best possible price.

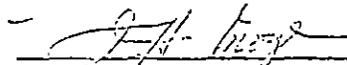
WHEREFORE, your petitioner prays the Court:

1. That your petitioner be authorized and directed to sell as soon as practicable in the discretion of the trustee for the highest possible price obtainable the 806 shares of stock in Wachovia Corporation held by it in this trust.
2. That your petitioner be further authorized and directed to sell at such time as the trustee, in its discretion, may deem to be the proper time to obtain the best possible price the other stock referred to herein, to wit, 625 shares of Peninsula Life Insurance Company; 1250 shares of Occidental Life Insurance Company; and 1000 shares of Jefferson-Pilot Corporation.
3. That the trustee be further authorized and directed to invest the proceeds arising from the sale of said stock in units of the balanced common trust fund of the Wachovia Bank & Trust Company, N. A., ^{as in other carefully authorized trusts} and administered for the beneficiaries named in Item 8 of the said Last Will and Testament of the said A. W. Ange, deceased.
4. For such other and further relief as the Court may deem necessary and proper.

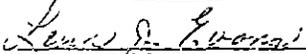

Attorney for Petitioner

NORTH CAROLINA
PITT COUNTY


_____, being duly sworn, deposes and says that he is an officer, to wit, Vice President, of Wachovia Bank & Trust Company, N. A.; that he has read the foregoing petition and that the same is true of his own knowledge and belief except as to those matters and things stated therein upon information and belief and, as to those, he believes it to be true.



Subscribed and sworn to before me, this the 20 day of May, 1970.


Notary Public
My commission expires September 21, 1971

NORTH CAROLINA
PITT COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25 CVS _____

WELLS FARGO BANK, N.A., as Trustee of)
the A. W. Ange Trust;)
)
Petitioner,)
v.)
)
THE TOWN OF WINTERVILLE;)
WINTERVILLE CHRISTIAN CHURCH)
(DISCIPLES OF CHRIST); and BARTON)
COLLEGE,)
)
Respondents.)

**PETITION TO TERMINATE
IRREVOCABLE
CHARITABLE TRUST**

Petitioner brings this action pursuant to Article 4 of Chapter 36C of the General Statutes of North Carolina (North Carolina’s Uniform Trust Code) to terminate the A. W. Ange Trust (the “Trust”) created under the Will of the late A. W. Ange. In support of this proceeding, Petitioner respectfully shows unto the Court:

THE PARTIES

1. Petitioner Wells Fargo Bank, N.A. (“Wells Fargo”), is a national banking association organized and existing under the laws of the United States with places of business in North Carolina. Wells Fargo is the Trustee of the Trust.
2. The Town of Winterville is located in Pitt County, North Carolina. The Town of Winterville is a current beneficiary of the Trust.
3. Winterville Christian Church (disciples of Christ) (“Winterville Christian Church”) is a charitable organization having its principal place of operation in Winterville, Pitt County, North Carolina. Winterville Christian Church is a current beneficiary of the Trust.
4. Barton College is a charitable organization having its principal place of operation in Wilson, Wilson County, North Carolina. Barton College is a current beneficiary of the Trust.

5. The North Carolina Attorney General, who is the representative of the public interest, has been notified of this action in accordance with the requirements of N.C. Gen. Stat. § 36C-2-205(i) and, therefore, has been given an opportunity to be heard. In accordance with that right, the Assistant Attorney General, on behalf of the North Carolina Attorney General, has indicated that the Attorney General does not wish to be heard regarding this matter. A copy of the letter by which the Assistant Attorney General acknowledges receipt of a copy of this Petition and states that the North Carolina Attorney General does not wish to be heard on this matter is attached as Exhibit A, which is expressly incorporated herein by reference.

JURISDICTION AND VENUE

6. The North Carolina Courts have personal jurisdiction over the Trustee and the beneficiaries of the Trust pursuant to N.C. Gen. Stat. § 36C-2-202 because the principal place of administration of the Trust is North Carolina.

7. The Court has subject matter jurisdiction pursuant to Article 4 of Chapter 36C of the North Carolina General Statutes.

8. Venue lies in this Court pursuant to N.C. Gen. Stat. § 36C-2-204 because the Trustee accounts to the Clerk of Superior Court of Pitt County.

9. All necessary parties have been named as parties hereunder.

FACTUAL BACKGROUND

10. A. W. Ange Trust (“Grantor”) died a resident of Pitt County, North Carolina, on November 8, 1961, leaving a Last Will and Testament dated July 18, 1958, as amended by a Codicil dated in May of 1960 (collectively referred to herein as the “Will”).

11. The Trust was the subject of a prior proceeding heard by the Clerk of Superior Court of Pitt County, in which the Court entered an Order dated July 23, 1970, directing the Trustee to sell non-income producing stock.

12. Copies of the Will and the Order are attached hereto as Exhibits B and C, respectively, and incorporated herein by reference.

13. The original Trustee appointed under the Will was Wachovia Bank and Trust Company. Wells Fargo is the successor by merger of Wachovia Bank and Trust Company. Wells Fargo now serves as the sole Trustee of the Trust.

14. The Trust files annual accounts to the Pitt County Clerk of Superior Court under Estate File No. 74-E-5.

15. The dispositive terms of the Trust as provided in the Will may be summarized as follows:

a. The net income of the Trust each year shall be distributed in annual installments as follows:

i. The first one hundred dollars (\$100) shall be distributed to the Town of Winterville to be used for the upkeep and maintenance of its community building.

ii. The next two hundred dollars (\$200) shall be distributed to Winterville Christian Church to be used for such purposes as it deems necessary.

iii. Any remaining net income shall be distributed to Atlantic Christian College to be used to provide financial assistance to worthy students attending the school to study ministry.

b. If in any year the income of the Trust does not exceed six hundred dollars (\$600), one-half of the Trust income shall be distributed to Atlantic Christian College, one-sixth of the Trust income shall be distributed to the Town of Winterville, and two-sixths of the Trust income shall be distributed to Winterville Christian Church.

16. Atlantic Christian College is now known as Barton College.

17. The Trustee administers the Trust as a charitable trust and currently distributes the net income of the Trust annually as follows:

c. One hundred dollars (\$100) to the Town of Winterville;

d. Two hundred dollars (\$200) to Winterville Christian Church; and

- e. Eight thousand five hundred dollars (\$8,500) to Barton College.
18. The value of the Trust is approximately \$214,203.53 as of May 21, 2024.
19. The income of the Trust has been distributed to the Beneficiaries in approximately the following percentages: 1.1% to the Town of Winterville; 2.3% to Winterville Christian Church; and 96.6% to Barton College (the “Beneficiaries’ Percentage Shares”).
20. Each Beneficiary has consented to the termination of the Trust and the proposed plan to distribute the remaining assets of the Trust outright to the Beneficiaries in the Beneficiaries’ Percentage Shares. Each Beneficiary’s Consent is attached hereto as Exhibit D, which is expressly incorporated herein by reference.

REQUEST FOR TERMINATION

21. Petitioner requests that the Trust be terminated. Upon termination, after payment of all final expenses of the Trust, including without limitation taxes and accounting and legal fees, Petitioner requests that the remaining Trust assets be distributed as follows: (i) 1.1% of the remaining Trust principal outright to the Town of Winterville; (ii) 2.3% percent of the remaining Trust principal outright to Winterville Christian Church; and (iii) 96.6% percent of the remaining Trust principal outright to Barton College (collectively, the “Proposed Distribution”).

22. N.C. Gen. Stat. § 36C-4-413 provides that if a charitable trust becomes unlawful, impracticable, impossible to achieve, or wasteful, the court “may apply cy pres to modify or terminate the trust by directing that the trust property be applied or distributed, in whole or in part, in a manner consistent with the settlor’s charitable purposes.”

23. N.C. Gen. Stat. § 36C-4-414(b) provides that “[t]he court may ... terminate a trust ... if the court determines that the value of the trust property is insufficient to justify the cost of administration.”

24. N.C. Gen. Stat. § 36C-4-418 provides that “upon termination of a trust under 36C-4-412(a) or 36C-4-414 . . . the trustee shall distribute the trust property in a manner consistent with the purposes of the trust.”

25. The purpose of the Trust is to provide financial support to the Beneficiaries for their charitable purposes. Upon termination, the distributed assets of the Trust shall be used in each

Beneficiary's discretion for its charitable purposes and in a manner that is consistent with the charitable purposes of the Trust.

26. The total value of the assets of the Trust is small, and the income distributed to each Beneficiary on an annual basis is minimal. Therefore, the trust distribution has minimal impact on each Beneficiary's support for its charitable purposes and the administration of the Trust is impracticable.

27. Termination of the Trust and the Proposed Distribution will further Grantor's charitable purposes by directly providing assets to the Beneficiaries and avoiding depletion of trust assets as a result of the expenses associated with the administration of the Trust. The Beneficiaries are able to administer and dispose of the trust assets efficiently and in a manner consistent with Grantor's charitable purposes. Therefore, the Court may terminate the Trust under N.C. Gen. Stat. § 36C-4-413(a)(3), because the administration of such a small trust is impracticable.

28. Furthermore, termination of the Trust and the Proposed Distribution will eliminate annual administrative charges and legal fees, the costs of preparing and filing annual accounts to the Pitt County Clerk of Superior Court, and the cost of preparing separate federal and state income tax returns for the Trust. Upon termination, the Beneficiaries will receive more meaningful financial support and more trust assets will be preserved for the intended use by the Beneficiaries. Therefore, the Court may terminate the Trust under N.C. Gen. Stat. § 36C-4-414(b), because the value of the trust property is insufficient to justify the cost of administration.

29. Termination of the Trust and distribution of assets outright to the Beneficiaries as set forth herein are consistent with the charitable purposes of the Trust, as required by § 36C-4-413(a)(3) and N.C. Gen. Stat. § 36C-4-418.

REPRESENTATION OF BENEFICIARIES

30. All beneficiaries of the Trust must be properly represented before a termination of a Trust can be allowed.

31. Each of the beneficiaries has been made a party to this action and, after notice and an opportunity to participate in this proceeding, has consented to the proposed termination of the Trust.

32. There is no beneficiary of the Trust who or which is not named as a party hereunder or whose rights and interests are not represented by the Attorney General of the State of North Carolina.

33. Having been given the opportunity, the Assistant Attorney General, on behalf of the North Carolina Attorney General, has indicated that the Attorney General does not wish to be heard regarding this matter.

WHEREFORE, Petitioner respectfully prays of this Court as follows:

1. That the Court specifically find:

a. That all beneficiaries of the Trust have been adequately represented either directly or by the North Carolina Attorney General;

b. That the continuation of the Trust is impracticable and not necessary to achieve Grantor's charitable purposes, termination of the Trust will further Grantor's charitable purposes, and distributing the Trust assets in accordance with the Proposed Distribution is consistent with Grantor's charitable purposes;

c. That the value of the Trust does not justify the on-going costs of administration by the Trustee, given the opportunity for the Beneficiaries to receive the Trust assets directly and manage the assets directly for their charitable purposes, as intended.

2. That the Court order the Trust be terminated pursuant to N.C. Gen. Stat. §§ 36C-4-413, and/or 36C-4-414(b) and that, after the payment of all trust expenses including but not limited to the costs of this action, the Trustee distribute (i) 1.1% of the remaining Trust principal outright to the Town of Winterville; (ii) 2.3% of the remaining Trust principal outright to Winterville Christian Church; and (iii) 96.6% of the remaining Trust principal outright to Barton College.

3. That the termination requested herein become effective upon entry of the Order.

4. That Wells Fargo shall be released and discharged from its duties and responsibilities as Trustee of the Trust upon the later of the termination of the Trust, the distribution of all remaining assets from the Trust, and the filing of any and all necessary tax returns for the Trust, without the necessity of any additional court order.

5. For such other and further relief as the Court may deem just and proper.

This the ____ day of _____, 2025.

WOMBLE BOND DICKINSON (US) LLP

By: _____
LAWRENCE A. MOYE, IV, N.C. State Bar No. 43086
SARAH R. WARREN, N.C. State Bar No. 55025
555 Fayetteville Street, Suite 1100
Raleigh, North Carolina 27601
Telephone: 919-755-2129
Fax: 919-755-6161

Attorneys for Petitioner Wells Fargo Bank, N.A., as Trustee

EXHIBIT A
Letter from AG

EXHIBIT B
Will

EXHIBIT C
Order

EXHIBIT D
Consents

5. I signed this document in _____ County, North Carolina, and certify that I am more than 18 years of age and not under any legal disability.

6. On behalf of the Town of Winterville, I consent to the termination of the Trust, and the Pitt County, North Carolina Superior Court's grant of the remaining relief sought as stated in the Petition, including but not limited to the Trustee's expenditure of Trust assets to facilitate the requested relief.

7. On behalf of the Town of Winterville, I agree that the Town of Winterville shall administer and dispose of the Trust assets distributed to it in a manner that is consistent with the charitable purposes of the Trust.

8. On behalf of the Town of Winterville, I hereby waive its right to file an Answer or otherwise respond to the Petition, or to participate in any judicial proceedings concerning the Petition going forward.

This the _____ day of _____, 2025.

THE TOWN OF WINTERVILLE

By: _____

Name: _____

Title: _____

Subscribed and sworn to before me
this the ____ day of _____, 2025.

Notary Public

Printed Name of Notary Public

My Commission Expires: _____